
STATUTORY INSTRUMENTS

1998 No. 811

**The European Primary and Specialist
Dental Qualifications Regulations 1998**

**PART I
GENERAL**

Citation and commencement

1.—(1) These Regulations may be cited as the European Primary and Specialist Dental Qualifications Regulations 1998.

(2) These Regulations shall come into force on 14th April 1998.

Interpretation

2.—(1) In these Regulations—

“the Act” means the Dentists Act 1984**(1)**;

“appropriate European diploma” shall be construed in accordance with Part I of Schedule 2 to the Act**(2)**;

“CCST” means Certificate of Completion of Specialist Training in orthodontics or, as the case may be, oral surgery**(3)**;

“dental authority” shall be construed in accordance with section 3**(4)** of the Act;

“the Dental Training Directive” means Council Directive No.78/687/EEC**(4)** concerning the co-ordination of provisions in respect of the activities of dental practitioners, as amended by the Accession of Austria, Finland and Sweden Act;

“EEA” means European Economic Area;

“EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992**(5)** as adjusted by the Protocol signed at Brussels on 17th March 1993**(6)**;

“EEA State” means a State which is a contracting party to the EEA Agreement;

“GDC” means General Dental Council**(7)**;

“primary qualification” means a qualification held by the persons referred to in section 15**(1)** of the Act**(8)**;

(1) 1984 c. 24.

(2) Part I of Schedule 2 was amended by S.I.1996/1496, regulation 3.

(3) See article 5**(1)** and **(2)** of the Recognition Directive under the heading “*in the United Kingdom*”.

(4) OJ No. L 233, 24.8.1978, p. 10.

(5) Cm. 2073 and OJ No. L 1, 3.1.1994, p. 3.

(6) Cm. 2183 and OJ No. L 1, 3.1.1994, p. 572.

(7) See the Dentists Act 1984 (c. 24), section 1.

(8) Section 15**(1)** was amended by SI 1996/1496, regulation 2.

“the Recognition Directive” means Council Directive No. [78/686/EEC](#)(9) concerning the mutual recognition of diplomas, certificates and other evidence of the formal qualifications of practitioners of dentistry, as adapted, amended or extended by the Accession of Greece Act, Council Directive No. [81/1057/EEC](#)(10) the Accession of Spain and Portugal Act, Council Directives Nos.[89/594/EEC](#)(11) and [90/658/EEC](#)(12), the EEA Agreement and the Accession of Austria, Finland and Sweden Act;

“the register” means the dentists' register(13);

“registered dentist” means a person registered in the register other than with temporary registration, except in regulations 8(1) and (2) and 12(1), where it has the meaning assigned in the Act(14);

“registrar” means the registrar of the GDC(15); and

“registration number” means the number by which a registered dentist is identified in the register.

(2) In these Regulations, any reference to a consultant in the National Health Service is to a consultant other than a locum consultant (but including an honorary consultant) employed for the purposes of providing any service as part of the health service continued under section 1(1) of the National Health Service Act 1977(16), section 1(1) of the National Health Service (Scotland) Act 1978(17) or Article 4 of the Health and Personal Social Services (Northern Ireland) Order 1972(18).

(3) In this regulation—

- (a) “the Accession of Greece Act” means the Act annexed to the Treaty relating to the accession of the Hellenic Republic to the European Community signed at Athens on 28th May 1979(19);
- (b) “the Accession of Spain and Portugal Act” means the Act annexed to the Treaty relating to the accession of the Kingdom of Spain and the Portuguese Republic to the European Community signed at Madrid and Lisbon on 12th June 1985(20); and
- (c) “the Accession of Austria, Finland and Sweden Act” means the Act annexed to the Treaty relating to the accession of the Kingdom of Norway, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union, signed at Corfu on 24th June 1994(21), as adjusted by the Decision of the Council of the European Union of 1st January 1995 adjusting the instruments concerning the accession of new member States to the European Union(22).

Power of direction

3.—(1) Subject to paragraph (2), the Secretary of State may give directions to the GDC in connection with any of its functions which arise from Community obligations and which relate to—

- (a) primary qualifications awarded in the EEA;

(9) OJ No. L 233, 24.8.1978, p. 1.

(10) OJ No. L 385, 31.12.1981, p. 25.

(11) OJ No. L 341, 23.11.1989, p. 19.

(12) OJ No. L 353, 17.12.1990, p. 73.

(13) Section 14(1) of the Act provides for the continuation of the register of registered dentists.

(14) See section 53(1).

(15) Section 14(2) of the Act provides for the register to be kept by a registrar.

(16) [1977 c. 49](#).

(17) [1978 c. 29](#).

(18) S.I. [1972/1265 \(N.I. 14\)](#).

(19) OJ No. L 291, 19.11.1979, p. 91.

(20) OJ No. L 302, 15.11.1985, p. 160.

(21) OJ No. C 241, 29.8.1994, p. 21. Norway did not ratify the Treaty.

(22) OJ No. L 1, 1.1.1995, p. 1. See the Annex—Annex I (XI)(D)(III)(3).

- (b) specialist qualifications in orthodontics or oral surgery awarded in the EEA;
 - (c) registration under the Act by virtue of any qualifications; or
 - (d) entry in a specialist list for orthodontists or oral surgeons;
- and it shall be the duty of the GDC to comply with any such directions.
- (2) Directions given under paragraph (1) may be as to matters of administration only.