
STATUTORY INSTRUMENTS

2005 No. 2011

The Dentists Act 1984 (Amendment) Order 2005

PART 2

The Council, their Committees and Registration

Insertion of section 26A

16. After section 26 insert—

“Insurance

Insurance

26A.—(1) A registered dentist must be covered by adequate and appropriate insurance throughout the period during which he is registered in the register.

(2) In this section “adequate and appropriate insurance” means insurance of a type and amount which rules under this section specify as adequate and appropriate.

(3) A person seeking registration in the register must supply the registrar with evidence that, if his name were to be entered in the register, he would be covered by adequate and appropriate insurance commencing, at the latest, on the date on which his name was so entered.

(4) A registered dentist seeking the retention of his name in the register must, before the commencement of the period for which he is seeking the retention of his name in the register, supply the registrar with evidence that he is covered by adequate and appropriate insurance.

(5) A person seeking the restoration of his name to the register must supply the registrar with evidence that, if his name were to be restored to the register, he would be covered by adequate and appropriate insurance commencing, at the latest, on the date on which his name was so restored.

(6) The registrar may at any other time require a registered dentist to supply him with evidence that he is covered by adequate and appropriate insurance, and a registered dentist must comply with such a requirement as soon as reasonably practicable.

(7) A registered dentist or (as the case may be) a person seeking registration in, or restoration of his name to, the register must inform the registrar forthwith if he is no longer covered by adequate and appropriate insurance or (as the case may be) arrangements under which he would be covered by such insurance are no longer in place.

(8) If a person fails to comply with the requirements of this section, the registrar may—

- (a) refuse to register his name in the register;
- (b) refuse to restore his name to the register;
- (c) erase his name from the register; or

- (d) refer the matter to the Investigating Committee under section 27(5)(a) as if the person's failure to comply with the requirements of this section constituted an allegation that his fitness to practise as a dentist is impaired by reason of misconduct for the purposes of section 27.
- (9) Where a person's name has been erased from the register under subsection (8)(c), that name shall be restored to the register on that person's application if he satisfies the registrar that he meets the requirements of—
 - (a) section 15(3)(a) to (c);
 - (b) this section; and
 - (c) any rules made under section 34B which apply to his case.
- (10) In this section "insurance" means—
 - (a) a contract of insurance providing cover for liabilities which may be incurred in carrying out work as a dentist; or
 - (b) an arrangement made for the purpose of indemnifying a person against such liabilities."