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STATUTORY INSTRUMENTS

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**2007 No. 3101**

**The European Qualifications (Health and  
Social Care Professions) Regulations 2007**

**PART 8**

**DENTISTS: THE EUROPEAN PRIMARY AND SPECIALIST  
DENTAL QUALIFICATIONS REGULATIONS 1998**

**Insertion of regulation 9A**

**142.** After regulation 9 insert—

**“Applications and notification of decisions**

**9A.**—(1) An exempt person (“A”) applying to have his name entered in the list for the specialty of orthodontics or oral surgery shall produce or send to the GDC a certificate as mentioned in paragraph (2), if—

- (a) he is applying to be considered as an eligible specialist by virtue of regulation 9(1);
- (b) he holds a qualification listed in Annex V, point 5.3.3 of the Directive (evidence of formal qualifications of specialised dentists); and
- (c) he has successfully completed specialist dental training that meets, or under article 22(a) of the Directive (part-time training) is to be treated as meeting, the requirements of article 35 of the Directive (specialist dental training).

(2) The certificate—

- (a) must be a certificate issued by a competent authority in the relevant European State in which A obtained his specialist dental qualification, or (if different) the relevant European State from which A comes to the United Kingdom; and
- (b) must certify that his specialist dental qualification is a qualification listed in relation to that State in Annex V, point 5.3.3 of the Directive.

(3) Paragraphs (4), (5) and (6) apply where an exempt person (“S”) makes an application for the entry of his name in a specialist list pursuant to regulation 8(2)(b) or (c).

(4) The GDC, within the period of one month beginning with the date of receipt of the application, must—

- (a) acknowledge receipt of the application; and
- (b) inform S of any missing document required for the purposes of the application.

(5) The GDC must, within the specified period, give S notice—

- (a) of the result of the application;
- (b) if it refuses the application, of the reasons for that refusal and any right of appeal S has under regulation 14(1)(b) or (ba).

- (6) Failure to notify S of the result of the application within the specified period shall be treated as a decision from which S may appeal under regulation 14(1)(b) or (ba).
- (7) In this regulation “the specified period” means—
- (a) in the case of an application pursuant to regulation 8(2)(b), the period of three months beginning with the relevant date;
  - (b) in the case of an application pursuant to regulation 8(2)(c), the period of four months beginning with the relevant date.
- (8) The “relevant date”, in relation to an application, is—
- (a) the date when the GDC receives the application; or
  - (b) if any document required for the purposes of the application is missing when the GDC receives the application, the date on which the GDC first has all the documents required for those purposes.”.