

---

STATUTORY INSTRUMENTS

---

**2015 No. 806**

**The Health Care and Associated Professions  
(Knowledge of English) Order 2015**

**PART 3**

**Dentists Act 1984**

**Necessary knowledge of English: applicants for registration in dental care professionals register**

**21.** After section 36C insert—

**“Supplementary provisions as to necessary knowledge of English**

**36CA.**—(1) The Council must publish guidance about—

- (a) the evidence, information or documents to be provided by an applicant for the purpose of satisfying the registrar under section 36C(6)(aa) that the applicant has the necessary knowledge of English; and
- (b) the process by which the registrar is to determine whether the registrar is satisfied as mentioned in paragraph (a).

(2) The registrar must have regard to the guidance published under subsection (1) in determining whether the registrar is satisfied as mentioned in subsection (1)(a).

(3) Subsections (4) and (6) apply if, having considered any evidence, information or documents provided by the applicant in support of the applicant’s application, the registrar is not satisfied under section 36C(6)(aa) that the applicant has the necessary knowledge of English.

(4) The registrar may request the applicant to provide further evidence, information or documents within such period as the registrar may specify.

(5) The registrar may not exercise any power under subsection (4) unless the registrar has complied with any duty under section 36C(6B).

(6) The registrar may require the applicant—

- (a) to undergo an examination or other assessment; and
- (b) to provide information in respect of that examination or assessment,

within such period as the registrar may specify.

(7) In the case of an applicant who is an exempt person, the registrar may not exercise the power under subsection (6) without having first—

- (a) exercised the power under subsection (4); and
- (b) considered any further evidence, information or documents provided by the applicant.

(8) When determining, for the purposes of article 51(2) of the Directive, any time limit for deciding whether a person is entitled to be registered under a title in the principal list of the dental care professionals register, the following are to be disregarded—

- (a) any period which begins on the date on which the registrar makes a request under subsection (4) and ends on the date on which the applicant complies with the request; or
- (b) any period which begins on the date on which the registrar requires an applicant to undergo an examination or other assessment under subsection (6)(a) and ends on the date on which the applicant complies with the requirement under subsection (6)(b).

(9) Guidance published under subsection (1) may make different provision in relation to different cases or classes of case, and in particular in relation to different descriptions of registered dental care professionals.

(10) The Council must keep guidance published under subsection (1) under review and may vary or withdraw it whenever they consider it appropriate to do so.

(11) If the Council vary any guidance published under subsection (1) they must publish the guidance as varied.

(12) Before publishing any guidance under subsection (1), or varying or withdrawing it, the Council must consult the persons and bodies mentioned in section 36M(5)(a) to (c).

(13) The Council may charge such fee as they consider reasonable for the provision of a copy of the guidance to any person.

(14) In this section—

- (a) references to an applicant are references to a person applying for registration under a title in the principal list of the dental care professionals register, and
- (b) references to guidance published under subsection (1) include references to guidance published by virtue of subsection (11).”.