

SCHEDULE 1

Article 2

Amendments to the Dentists Act 1984

1. The Dentists Act 1984 is amended as follows.

Qualification for registration in the dentists register

2. In section 15(1) (qualification for registration in the dentists register)—
 - (a) in subsection (1), for paragraph (c), substitute—
 - “(c) any person who—
 - (i) holds an overseas diploma in dentistry, and
 - (ii) has satisfied the Council that the person has the requisite knowledge and skill (see sections 16A (requisite knowledge and skill: holders of overseas diplomas) and 16B (requisite knowledge and skill: recognition of overseas diplomas)).”;
 - (b) after subsection (1) insert—

“(1A) Subsection (1)(c)(ii) does not apply to a person whose application under this section is made in reliance on a relevant European diploma.”;
 - (c) for subsection (2), substitute—

“(2) In this Act “overseas diploma” means—
 - (a) a relevant European diploma, or
 - (b) any other diploma granted in a country overseas.”;
 - (d) in subsection (3), omit the words from “under paragraph” to “above”;
 - (e) omit subsections (4), (4ZA) and (6).

Further provision about overseas diplomas

- 3.—(1) Omit section 16 (supplementary provisions as to registration of holders of overseas diplomas).
- (2) After section 16 insert—

“16A. Requisite knowledge and skill: holders of overseas diplomas

- (1) Rules may make provision for the purpose of determining whether a person who holds an overseas diploma in dentistry has the requisite knowledge and skill mentioned in section 15(1)(c)(ii).
- (2) Rules made by virtue of subsection (1) may (in particular) make provision—
 - (a) requiring the person to undertake an assessment;
 - (b) imposing such other requirements on the person as the Council considers appropriate;
 - (c) enabling the Council to require the payment of fees for the purpose of meeting expenses incurred, or to be incurred, by the Council in determining whether the person has the requisite knowledge and skill.

(1) Section 15 was amended by [S.I. 2019/593](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

16B. Requisite knowledge and skill: recognition of overseas diplomas

(1) The Council may recognise an overseas diploma of a particular kind as furnishing such guarantees as to the knowledge and skill of the person who holds the diploma that no further enquiry into the knowledge and skill of that person is necessary.

(2) A person who holds an overseas diploma recognised by the Council for the time being in accordance with subsection (1) is to be taken to have satisfied the Council that the person has the requisite knowledge and skill mentioned in section 15(1)(c)(ii).

(3) Rules may make provision about the recognition of overseas diplomas under subsection (1).

(4) Rules made by virtue of subsection (3) may (in particular) make provision enabling the Council to require the payment of fees for the purpose of meeting expenses incurred, or to be incurred, by the Council in determining applications for the recognition of overseas diplomas.”.

(3) In section 17 (temporary registration)—

- (a) in subsection (1), for “a recognised” substitute “an”;
- (b) omit subsection (5).

Professions complementary to dentistry: qualifications for registration

4.—(1) In section 36C(2) (qualifications for registration)—

- (a) in subsection (4)(a), after “qualifications” (in the first place it appears) insert “, other than a diploma in dentistry,”;
- (b) in subsection (4)(b), at the end insert “(see sections 36CB (requisite knowledge and skill: holders of relevant qualifications) and 36CC (requisite knowledge and skill: recognition of relevant qualifications))”;
- (c) omit subsection (5).

(2) After section 36CA insert—

“36CB. Requisite knowledge and skill: holders of relevant qualifications

(1) Rules may make provision for the purpose of determining whether a person who holds a relevant qualification has the requisite knowledge and skill mentioned in section 36C(4)(b).

(2) Rules made by virtue of subsection (1) may (in particular) make provision—

- (a) requiring the person to undertake an assessment;
- (b) imposing such other requirements on the person as the Council considers appropriate;
- (c) enabling the Council to require the payment of fees for the purpose of meeting expenses incurred, or to be incurred, by the Council in determining whether the person has the requisite knowledge and skill.

(3) In this section “relevant qualification” has the same meaning as in section 36C (see section 36C(4)(a)).

(2) Section 36C was inserted by article 29 of the Dentists Act 1984 (Amendment) Order 2005 (S.I. 2005/2011) (“the 2005 Amendment Order”). Subsection (4) was amended by article 20(2)(a) and article 20(2)(b) of the Health Care and Associated Professions (Knowledge of English) Order 2015 (S.I. 2015/806). Subsections (5)(a) and (b) were substituted by paragraph 19(d) of Schedule 3 to the European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/593), as amended by the European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394).

36CC. Requisite knowledge and skill: recognition of relevant qualifications

(1) The Council may recognise a relevant qualification of a particular kind as furnishing such guarantees as to the knowledge and skill of the person who holds the relevant qualification that no further enquiry into the knowledge and skill of that person is necessary.

(2) A person who holds a relevant qualification recognised by the Council for the time being in accordance with subsection (1) is to be taken to have satisfied the Council that the person holds the requisite knowledge and skill mentioned in section 36C(4)(b).

(3) Rules may make provision about the recognition of a relevant qualification under subsection (1).

(4) Rules made by virtue of subsection (3) may (in particular) make provision enabling the Council to require the payment of fees for the purpose of meeting expenses incurred, or to be incurred, by the Council in determining applications for the recognition of relevant qualifications.

(5) In this section “relevant qualification” has the same meaning as in section 36C (see section 36C(4)(a)).”

Consequential amendments

5.—(1) In section 50C(2)(3) (rules), at the appropriate places in the list, insert each of the following—

“section 16A(1) (requisite knowledge and skill: holders of overseas diplomas);”;

“section 16B(3) (requisite knowledge and skill: recognition of overseas diplomas);”;

“section 36CB(1) (requisite knowledge and skill: holders of relevant qualifications);”;

“section 36CC(3) (requisite knowledge and skill: recognition of relevant qualifications);”.

(2) In section 50D(1)(4) (rules: consultation requirements), after “under” insert “section 16A(1), 16B(3), 36CB(1) or 36CC(3) or”.

(3) In section 53(1)(5) (interpretation)—

(a) at the appropriate place insert—

““overseas diploma” has the meaning given by section 15(2) above;”;

(b) omit the definition of “recognised overseas diploma”.

(3) Section 50C was inserted by article 43 of the 2005 Amendment Order.

(4) Section 50D was inserted by article 43 of the 2005 Amendment Order, and prospectively amended by [S.I. 2005/806](#).

(5) Section 53(1) has been amended by [S.I. 2005/806](#). There are other amendments but none are relevant.