



# Dentists Act 1984

## 1984 CHAPTER 24

### PART I **U.K.**

#### THE GENERAL DENTAL COUNCIL

#### 1 **Constitution and general duties of the Council.** **U.K.**

(1) There shall continue to be a body corporate known as the General Dental Council (in this Act referred to as “the Council”).

[<sup>F1</sup>(1A) When exercising their functions under this Act, the Council shall have proper regard for—

- (a) the interests of persons using or needing the services of registered dentists or registered dental care professionals in the United Kingdom; and
- (b) any differing interests of different categories of registered dentists or registered dental care professionals.]

[<sup>F2</sup>(2) The Council shall, when exercising their functions under this Act, have a general concern—

- (a) to promote high standards of education at all its stages in all aspects of dentistry; and
- (b) to promote high standards of professional conduct, performance and practice among persons registered under this Act.

(2A) The Council shall be constituted as provided by order of the Privy Council.

(2B) An order of the Privy Council made under subsection (2A) may contain such incidental, consequential, saving, transitional or supplementary provisions as appear to the Privy Council to be necessary or expedient.]

(3) Part I of Schedule 1 to this Act shall have effect in relation to the Council [<sup>F3</sup>and, in particular, subsection (2A) above is subject to the provisions of that Part].

*Status: Point in time view as at 14/05/2009.*

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**Textual Amendments**

- F1** S. 1(1A) inserted (14.5.2009) by [The Health Care and Associated Professions \(Miscellaneous Amendments and Practitioner Psychologists\) Order 2009 \(S.I. 2009/1182\)](#), art. 1(2)(b), **Sch. 1 para. 1(a)** (with arts. 9, 10)
- F2** S. 1(2)-(2B) substituted for s. 1(2)-(2C) (coming into force in accordance with art. 1(4)-(7) of the amending S.I. (see the London Gazette, issue nos. 57734, 57975, 58050 and 58769, dated respectively 19.8.2005, 5.6.2006, 21.7.2006 and 18.7.2008)) by [The Dentists Act 1984 \(Amendment\) Order 2005 \(S.I. 2005/2011\)](#), **art. 3** (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))
- F3** Words in s. 1(3) added (coming into force in accordance with art. 1(2) of the amending S.I.) by [S.I. 2001/3926](#), **art. 1, 3(b)**

**2 Committees of the Council. U.K.**

- [<sup>F4</sup>(1) There shall continue to be committees of the Council known as—
  - (a) the Professional Conduct Committee; and
  - (b) the Health Committee.
- (2) There shall also be established committees of the Council to be known as—
  - (a) the Investigating Committee;
  - (b) the Professional Performance Committee;
  - (c) the Interim Orders Committee; and
  - (d) the Registration Appeals Committee.
- (3) In this Act, “Practice Committee” means the Professional Conduct Committee, the Health Committee or the Professional Performance Committee.]
- (5) .....
- [<sup>F5</sup>(6) The committees of the Council mentioned in this section shall be constituted as provided by [<sup>F6</sup>order of the Privy Council][<sup>F6</sup>rules].
- [ Rules made under subsection (6) may provide for the functions of a committee of the
- <sup>F7</sup>(6A) Council mentioned in this section to be exercised by one or more panels comprised of members of the committee and may make provision with regard to the constitution of the panels.]
- (7) [<sup>F8</sup>An order of the Privy Council made under subsection (6) <sup>F9</sup>... may contain such incidental, consequential, saving, transitional or supplementary provisions as appear to the Privy Council to be necessary or expedient.]
- (8) [<sup>F8</sup>Some or all of the members of the committees mentioned in this section may be persons who are not members of the Council.]]

**Textual Amendments**

- F4** S. 2(1)-(3) substituted for s. 2(1)-(4A) (coming into force in accordance with art. 1(4)-(7) of the amending S.I. (see the London Gazette, issue nos. 57734, 57975, 58050 and 58769, dated respectively 19.8.2005, 5.6.2006, 21.7.2006 and 18.7.2008)) by [The Dentists Act 1984 \(Amendment\) Order 2005 \(S.I. 2005/2011\)](#), **art. 4(a)** (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))
- F5** S. 2(6)-(8) inserted (coming into force in accordance with art. 1(2) of the amending S.I.) by [S.I. 2001/3926](#), **art. 6(d)**

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- F6** Word in s. 2(6) substituted (13.5.2009 for specified purposes) by [The Health Care and Associated Professions \(Miscellaneous Amendments and Practitioner Psychologists\) Order 2009 \(S.I. 2009/1182\)](#), art. 1(3)(9), **Sch. 1 para. 2(a)** (with arts. 9, 10)
- F7** S. 2(6A) inserted (13.5.2009 for specified purposes) by [The Health Care and Associated Professions \(Miscellaneous Amendments and Practitioner Psychologists\) Order 2009 \(S.I. 2009/1182\)](#), art. 1(3)(9), **Sch. 1 para. 2(b)** (with arts. 9, 10)
- F8** S. 2(7)(8) omitted (13.5.2009 for specified purposes) by virtue of [The Health Care and Associated Professions \(Miscellaneous Amendments and Practitioner Psychologists\) Order 2009 \(S.I. 2009/1182\)](#), art. 1(3)(9), **Sch. 1 para. 2(c)** (with arts. 9, 10)
- F9** Words in s. 2(7) omitted (coming into force in accordance with art. 1(4)-(7) of the amending S.I. (see the London Gazette, issue nos. 57734, 57975, 58050 and 58769, dated respectively 19.8.2005, 5.6.2006, 21.7.2006 and 18.7.2008)) by virtue of [The Dentists Act 1984 \(Amendment\) Order 2005 \(S.I. 2005/2011\)](#), **art. 4(b)** (with **Sch. 7**) (with transitional provisions in S.I. 2006/1671)

## **[<sup>F10</sup>2A. The Council’s duty to co-operate** **U.K.**

- (1) In the exercise of their functions, the Council shall co-operate in so far as reasonably practicable with public authorities, and other bodies and persons, falling within subsection (2).
- (2) Public authorities, bodies and persons fall within this subsection if—
  - (a) they are concerned with the employment (whether or not under a contract of service) of registered dentists or registered dental care professionals;
  - (b) they provide, assess or fund education or training for those who are, or seek to become, registered dentists or registered dental care professionals, or they propose to do so;
  - (c) they regulate services in the provision of which registered dentists or registered dental care professionals are engaged;
  - (d) they carry out activities in connection with [<sup>F11</sup>the provision, supervision or management of national health services]; <sup>F12</sup> ...
  - <sup>F13</sup>(e) .....
- (3) In carrying out their duty to co-operate under subsection (1), the Council shall have regard to any differing considerations in relation to the practice of dentistry which apply in England, Scotland, Wales and Northern Ireland.

### **Textual Amendments**

- F10** Ss. 2A-2D inserted (coming into force in accordance with art. 1(4)-(7) of the amending S.I. (see the London Gazette, issue nos. 57734, 57975, 58050 and 58769, dated respectively 19.8.2005, 5.6.2006, 21.7.2006 and 18.7.2008)) by [The Dentists Act 1984 \(Amendment\) Order 2005 \(S.I. 2005/2011\)](#), **art. 5** (with **Sch. 7**) (with transitional provisions in S.I. 2006/1671)
- F11** Words in s. 2A(2)(d) substituted (14.5.2009) by [The Health Care and Associated Professions \(Miscellaneous Amendments and Practitioner Psychologists\) Order 2009 \(S.I. 2009/1182\)](#), art. 1(2)(b), **Sch. 1 para. 3(a)** (with arts. 9, 10)
- F12** Word in s. 2A(2)(e)(i) omitted (14.5.2009) by virtue of [The Health Care and Associated Professions \(Miscellaneous Amendments and Practitioner Psychologists\) Order 2009 \(S.I. 2009/1182\)](#), art. 1(2)(b), **Sch. 1 para. 3(b)** (with arts. 9, 10)
- F13** S. 2A(2)(e)(ii) omitted (14.5.2009) by virtue of [The Health Care and Associated Professions \(Miscellaneous Amendments and Practitioner Psychologists\) Order 2009 \(S.I. 2009/1182\)](#), art. 1(2)(b), **Sch. 1 para. 3(b)** (with arts. 9, 10)

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## [<sup>F14</sup>2B. Annual reports, statistical reports and strategic plans U.K.]

- (1) The Council shall publish, by such date in each year as the Privy Council shall specify—
  - (a) a report on the exercise of their functions which includes a description of the arrangements that the Council have put in place to ensure that they adhere to good practice in relation to equality and diversity (and for these purposes “equality” and “diversity” have the meanings given in section 8(2) of the Equality Act 2006);
  - (b) a statistical report which indicates the efficiency and effectiveness of, and which includes a description of, the arrangements which the Council have put in place to protect members of the public from persons who are registered dentists or registered dental care professionals and whose fitness to practise is impaired, together with the Council’s observations on the report; and
  - (c) a strategic plan for the Council in respect of such number of years as the Council shall determine.
- (2) The Council shall submit copies of the reports and the plan published under subsection (1) to the Privy Council and the Privy Council shall lay copies of the reports and the plan before each House of Parliament and before the Scottish Parliament.]

### Textual Amendments

- F10** Ss. 2A-2D inserted (coming into force in accordance with art. 1(4)-(7) of the amending S.I. (see the London Gazette, issue nos. 57734, 57975, 58050 and 58769, dated respectively 19.8.2005, 5.6.2006, 21.7.2006 and 18.7.2008)) by [The Dentists Act 1984 \(Amendment\) Order 2005 \(S.I. 2005/2011\)](#), [art. 5](#) (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))
- F14** [S. 2B](#) substituted (14.5.2009) by [The Health Care and Associated Professions \(Miscellaneous Amendments and Practitioner Psychologists\) Order 2009 \(S.I. 2009/1182\)](#), [art. 1\(2\)\(b\)](#), [Sch. 1 para. 4](#) (with [arts. 9, 10](#))

## 2C. Accounts U.K.]

- (1) The Council shall—
  - (a) keep accounts, and
  - (b) prepare a statement of accounts in respect of each calendar year, in such form as the Privy Council may determine in writing.
- (2) The Council shall appoint an auditor to audit each statement of accounts prepared in accordance with subsection (1)(b), and the auditor must prepare a report on each statement of accounts.
- (3) The auditor appointed must be eligible for appointment as a [<sup>F15</sup>statutory auditor under Part 42 of the Companies Act 2006].
- (4) The Council shall, as soon as reasonably practicable after the end of each calendar year—
  - (a) publish the statement of accounts for that year, together with the auditor’s report on it; and
  - (b) send a copy of the statement of accounts and the report to the [<sup>F16</sup>Privy Council, the Comptroller and Auditor General and the Auditor General for Scotland].

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- (5) The Comptroller and Auditor General shall examine, certify and report on each statement of accounts received under subsection (4) and for these purposes may inspect accounts kept by the Council in accordance with subsection (1)(a).
- (6) The Comptroller and Auditor General shall send a copy of each report prepared by him under subsection (5) to the Council and the Privy Council.
- (7) The Privy Council shall, as soon as reasonably practicable after the end of each calendar year, lay before each House of Parliament and the Scottish Parliament a copy of—
  - (a) the statement of accounts for that year as certified by the Comptroller and Auditor General;
  - (b) the auditor’s report for that year; and
  - (c) the report of the Comptroller and Auditor General for that year.

#### Textual Amendments

- F10** Ss. 2A-2D inserted (coming into force in accordance with art. 1(4)-(7) of the amending S.I. (see the London Gazette, issue nos. 57734, 57975, 58050 and 58769, dated respectively 19.8.2005, 5.6.2006, 21.7.2006 and 18.7.2008)) by [The Dentists Act 1984 \(Amendment\) Order 2005 \(S.I. 2005/2011\)](#), [art. 5](#) (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))
- F15** Words in s. 2C(3) substituted (6.4.2008) by [The Companies Act 2006 \(Consequential Amendments etc\) Order 2008 \(S.I. 2008/948\)](#), art. 2(2), [Sch. 1 para. 3\(a\)](#) (with arts. 6, 11, 12)
- F16** Words in s. 2C(4)(b) substituted (14.5.2009) by [The Health Care and Associated Professions \(Miscellaneous Amendments and Practitioner Psychologists\) Order 2009 \(S.I. 2009/1182\)](#), art. 1(2)(b), [Sch. 1 para. 5](#) (with arts. 9, 10)

## 2D. Complaints **U.K.**

- (1) The Council may incur expenditure for the purposes of investigating and resolving dental complaints.
- (2) In this section “dental complaints” means complaints made by users of the services of registered dentists or the services of registered dental care professionals about—
  - (a) the dental services provided by a registered dentist, a registered dental care professional or a body corporate carrying on the business of dentistry; or
  - (b) the goods or materials provided to persons, or the facilities provided for persons, using those dental services.
- (3) The Council may also incur expenditure for the purposes of assisting the parties to the dental complaint in reaching a satisfactory resolution of that complaint.]

#### Textual Amendments

- F10** Ss. 2A-2D inserted (coming into force in accordance with art. 1(4)-(7) of the amending S.I. (see the London Gazette, issue nos. 57734, 57975, 58050 and 58769, dated respectively 19.8.2005, 5.6.2006, 21.7.2006 and 18.7.2008)) by [The Dentists Act 1984 \(Amendment\) Order 2005 \(S.I. 2005/2011\)](#), [art. 5](#) (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))

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[<sup>F17</sup>**2E. Registration of members' private interests** **U.K.**

- (1) The Council must establish and maintain a system for the declaration and registration of private interests of their members.
- (2) The Council must publish entries recorded in the register of members' private interests.]

**Textual Amendments**

**F17** S. 2E inserted (14.5.2009) by [The Health Care and Associated Professions \(Miscellaneous Amendments and Practitioner Psychologists\) Order 2009 \(S.I. 2009/1182\)](#), art. 1(2)(b), **Sch. 1 para. 6** (with arts. 9, 10)

**Status:**

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**Changes to legislation:**

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