

SCHEDULES

SCHEDULE 1

Sections 1 and 2.

THE COUNCIL AND COMMITTEES OF THE COUNCIL : SUPPLEMENTARY PROVISIONS

PART I

THE COUNCIL

Constitution

- 1 (1) The Council shall consist of the President and twenty-nine other members, together with the members nominated under this Part of this Schedule by the authorities who are for the time being dental authorities.
- (2) Of those twenty-nine members of the Council—
- (a) eighteen shall be elected by registered dentists from among themselves;
 - (b) four shall be the persons who are for the time being the chief dental officers of each of the Department of Health and Social Security, the Welsh Office and the Department of Health and Social Services for Northern Ireland and the chief dental officer to the Secretary of State for Scotland ;
 - (c) six, who shall not be registered dentists and of whom three shall be chosen for England and one for each of Scotland, Wales and Northern Ireland, shall be nominated by Her Majesty on the advice of Her Privy Council; and
 - (d) one shall be elected in accordance with paragraph 12(9) below;
- and of the remaining members, all of whom shall be registered dentists, the University of London (so long as it is a dental authority) shall nominate two, and every other authority which is for the time being a dental authority shall nominate one.
- (3) In addition there shall be three persons nominated by the General Medical Council from among members of that Council who shall act and vote as members of the General Dental Council in connection with dental education and examinations, but who, except as otherwise expressly provided by this sub-paragraph or any other provision of this Act, shall not be treated as members of the General Dental Council for the purposes of this Act.

Election and nomination of members

- 2 (1) The period for which those elected as members of the Council shall hold office shall end with 30th September 1986, and at the end of that day, and at the end of each succeeding period of five years, all the persons who are then elected members of the Council shall retire together, and elections shall be held accordingly before the end of each of the said periods.

Status: This is the original version (as it was originally enacted).

- (2) An election shall be held to fill a casual vacancy among the elected members if, and only if, the vacancy occurs more than twelve months before the beginning of the following five-year period.
- (3) Of the eighteen elected members—
- (a) fourteen shall be elected by the dentists whose addresses in the register are in England, the Me of Man or the Channel Islands;
 - (b) one shall be elected by the dentists whose addresses in the register are in Wales;
 - (c) two shall be elected by the dentists whose addresses in the register are in Scotland; and
 - (d) one shall be elected by the dentists whose addresses in the register are in Ireland.
- (4) Elections under this paragraph shall be conducted in accordance with rules made by the Council which shall include provision—
- (a) for nominations being made by registered dentists;
 - (b) for the use of voting papers and for voting by post.
- 3 (1) The period for which those nominated as members of the Council shall hold office shall end with 30th September 1989. and at the end of that day, and at the end of each succeeding period of five years, all the persons who are then nominated members of the Council shall retire together; and nominations shall be made accordingly before the end of each of the said periods.
- (2) A nomination shall be made to fill a casual vacancy among the nominated members whenever it occurs.
- (3) In this paragraph references to nominated members include members nominated by the General Medical Council for the limited purposes set out in paragraph 1(3) above.
- (4) Where in the course of one of the periods referred to in sub-paragraph (1) above an authority becomes for the first time a dental authority, the right of that authority to nominate a member of the Council shall be postponed until the end of that period.
- 4 (1) The Council shall elect a registered dentist as President from among the persons who are for the time being members of the Council.
- (2) If the President when he takes office is an elected or nominated member of the Council he shall thereupon cease to be such a member, and the Council shall accordingly take the appropriate steps to till die vacancy so created.
- (3) The period for which the President shall hold office shall be the period for which a nominated member of the Council taking office at the same time as the President would hold office.
- 5 A person shall not be disqualified for being elected or nominated as a member of the Council or for being elected as President of the Council by reason of having already served as a member or, as the case may be, as President

General powers of Council

- 6 (1) Subject to the following provisions of this Part of this Schedule, the Council shall have power to do any thing which in their opinion is calculated to facilitate the proper discharge of their functions.

- (2) The Council shall, in particular, have power to pay to their members (including those nominated by the General Medical Council) such fees and such travelling, subsistence or other allowances as they may determine.
- (3) The powers of the Council and of any of the Council's committees may be exercised notwithstanding any vacancy.
- (4) No proceedings of the Council or of any of the Council's committees shall be invalidated by any defect in the appointment of a member, and no proceedings of the Council shall be invalid by reason of any member nominated by the General Medical Council having acted or voted in a manner not permitted by paragraph 1(3) above.
- 7 (1) The Council may, after paying their expenses, including the payments authorised under this Schedule to be made to their members and the salaries or remuneration of their officers, allocate any money received by them (whether by way of fees or otherwise) to purposes connected with dental education and research or any other public purposes connected with the profession of dentistry in such manner as they may think fit.
- (2) The Council shall keep accounts of all sums received or paid by them under this Act, and the accounts shall be audited in the manner prescribed by regulations made by the Privy Council and shall be published annually and laid before Parliament
- 8 (1) The Council may make rules—
- (a) for regulating the proceedings (including quorum) of the Council,
 - (b) for delegating, subject to the provisions of this Act, to committees, including the committees referred to in Part II of this Schedule, functions of the Council, and
 - (c) subject as aforesaid, for appointing the members and regulating the proceedings (including quorum) of any committees, including the committees referred to in Part II of this Schedule and any sub-committees.
- (2) Without prejudice to the generality of sub-paragraph (1) above, rules may be made under that sub-paragraph with respect to the appointment of members to, and the proceedings (including quorum) of, the Health Committee referred to in section 2(4) of this Act.
- (3) The power conferred by sub-paragraph (1) above shall also include power to make rules as to the procedure to be followed and rules of evidence to be observed in proceedings before the Professional Conduct Committee (other than proceedings under section 27 of this Act); but rules under this sub-paragraph shall not come into force until approved by order of the Privy Council contained in a statutory instrument, and before making any such rules the Council shall consult such bodies of persons representing dentists as appear to the Council requisite to be consulted.
- (4) Nothing in this paragraph shall authorise the Council to delegate any power of making rules or regulations under any other provision of this Act

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PART II

COMMITTEES OF THE COUNCIL

The Education Committee

- 9 (1) The Education committee shall consist of—
- (a) the President,
 - (b) at least eight other members of the Council (who shall all be registered dentists), and
 - (c) those persons who are only members of the Council for the limited purposes set out in paragraph 1(3) above.
- (2) The Committee shall appoint a registered dentist to be chairman from among the members of the Committee.

The Preliminary Proceedings Committee

- 10 The Preliminary Proceedings Committee shall consist of the President and five other members of the Council of whom one shall be a person who is not a registered dentist, but the President may appoint for the consideration of any particular case one or two members of the Council to be additional members of the Committee, notwithstanding that the membership of the Committee is thereby raised to seven or eight.

The Professional Conduct Committee

- 11 (1) The Professional Conduct Committee shall consist of the President and ten other members of the Council of whom at least—
- (a) five shall be elected members of the Council, and
 - (b) two shall be neither elected members nor registered dentists.
- (2) A member of the Preliminary Proceedings Committee (other than the President of the Council) shall not at the same time be a member of the Professional Conduct Committee.
- (3) At any meeting of the Professional Conduct Committee the President of the Council, or in his absence such member of the Committee as the Committee may choose, shall be chairman.
- (4) All acts of the Professional Conduct Committee shall be decided by a majority of the members present at any meeting
- (5) The quorum for a meeting of the Professional Conduct Committee shall be seven, of whom at least—
- (a) two shall be elected members of the Council, and
 - (b) one shall be neither an elected member nor a registered dentist.

The Dental Auxiliaries Committee

- 12 (1) The Dental Auxiliaries Committee shall consist of—
- (a) the President;

- (b) at least eight (but not more than ten) other members of the Council, being either elected or nominated members or persons within paragraph 1(2)(b) above; and
 - (c) nine persons not within paragraph (a) or (b) of this sub-paragraph.
- (2) At least two of the members referred to in sub-paragraph (1)(b) above shall not be registered dentists.
- (3) Three of the nine members referred to in sub-paragraph (1)(c) above shall be appointed by the Secretaries of State respectively concerned with health in England and Wales and Scotland and the head of the Department of Health and Social Services for Northern Ireland acting jointly, and two of the three so appointed shall be registered dentists who are or have been employed in the course of the provision of national health services.
- (4) The three members so appointed and their successors shall retire together at the end of successive three-year periods, and an appointment made in the course of one of those periods to fill a casual vacancy shall be for the remainder of that period.
- (5) The other six of the nine members referred to in sub-paragraph (1)(c) above shall be elected by members of all the classes of dental auxiliaries established by regulations under this Act in such manner and at such intervals as may be provided by rules made by the Council.
- (6) The Council shall pay to members of the Committee who are not members of the Council allowances and fees at the same rates as in the case of those who are members of the Council.
- (7) The chairman of the Committee shall be chosen by the Committee from among the members of the Committee who are registered dentists.
- (8) The Committee may appoint a sub-committee, which shall consist of not more than nine members, to deal with disciplinary questions connected with members of a class of dental auxiliaries.
- (9) The member of the Council referred to in paragraph 1(2)(d) above shall be elected by the Committee from among its members who have been elected under sub-paragraph (5) above; and a person so elected shall cease to be a member of the Council if he ceases to be a member of the Committee or when the term of office of elected members of the Council next expires in accordance with paragraph 2(1) above, whichever first occurs.