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SCHEDULES

SCHEDULE 1 **U.K.**

THE COUNCIL AND COMMITTEES OF THE COUNCIL: SUPPLEMENTARY PROVISIONS

PART I **U.K.**

THE COUNCIL

[^{F1}Constitution

Textual Amendments

F1 Sch. 1 Pt. I paras. 1-4 and cross-headings substituted (coming into force in accordance with art. 1(2) of the amending S.I.) for Sch. 1 Pt. I paras. 1-5 and cross-headings by [S.I. 2001/3926, art. 4](#)

- 1 (1) The Council shall consist of—
- (a) members who are registered dentists;
 - ^{F2}(b) members who are registered dental care professionals; and]
 - (c) lay members.
- (2) An [^{F3}order of the Privy Council] made under section 1(2A) of this Act shall provide for the numbers of each of the three categories of member mentioned in sub-paragraph (1) above.
- (3) The number of members falling within sub-paragraph (1)(a) shall exceed the combined number of members falling within sub-paragraphs (1)(b) and (1)(c).
- (4) A person shall not be disqualified from being appointed or elected as a member of the Council merely because he has already been a member.
- (5) In this paragraph and [^{F4}paragraph 2], “lay member” means a member who is neither a registered dentist nor a [^{F5}registered dental care professional].

Textual Amendments

- F2** Sch. 1 para. 1(1)(b) substituted (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. 47\(2\)\(a\)](#) (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))
- F3** Words in Sch. 1 para. 1(2) substituted (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. 47\(2\)\(b\)](#) (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))

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- F4** Words in Sch. 1 para. 1(5) substituted (1.10.2006) by [Health Act 2006 \(c. 28\)](#), s. 83(7), **Sch. 8 para. 27(2)**; S.I. 2006/2603, art. 4(5)(c)(i)(e), Sch.
- F5** Words in Sch. 1 para. 1(5) substituted (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. 47(2)(c)** (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))

Lay members

- 2 (1) An [^{F6}order of the Privy Council] made under section 1(2A) of this Act shall make provision for—
- (a) the appointment of lay members to the Council,
 - (b) the tenure and termination of office of the lay members, and
 - (c) any other matter which appears to [^{F7}the Privy Council] to be necessary or expedient in relation to the lay membership of the Council.
- [^{F8}(2) The lay members shall be appointed by the Privy Council.
- (3) The lay members must include at least one person from each of England, Scotland, Wales and Northern Ireland.
- (4) A person is from England, Scotland, Wales or Northern Ireland (as the case may be) if he lives or works there or mainly lives or works there.]

Textual Amendments

- F6** Words in Sch. 1 para. 2(1) substituted (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. 47(3)(a)** (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))
- F7** Words in Sch. 1 para. 2(1)(c) substituted (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. 47(3)(b)** (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))
- F8** Sch. 1 para. 2(2)-(4) substituted for Sch. 1 para. 2(2)(3) (19.10.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), **Sch. 12 para. 3(3)**; S.I. 2004/2626, art. 2

^{F9}2A

Textual Amendments

- F9** Sch. 1 para. 2A repealed (1.10.2006) by [Health Act 2006 \(c. 28\)](#), s. 83(7), **Sch. 8 para. 27(3)**, **Sch. 9**; S.I. 2006/2603, art. 4(5)(c)(i)(e), Sch.

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[^{F10}Members who are registered dentists or registered dental care professionals]

Textual Amendments

F10 Sch. 1 para. 3 heading substituted (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. 47\(4\)](#) (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))

- 3 (1) An [^{F11}order of the Privy Council] made under section 1(2A) of this Act shall, in relation to the members mentioned in paragraphs 1(1)(a) and (b) above, make provision for—
- (a) their tenure and termination of office,
 - (b) by-elections, and
 - [^{F12}(c) any other matter which appears to the Privy Council to be necessary or expedient in relation to the categories of members of the Council mentioned in paragraph 1(1)(a) and (b).]

[An order under section 1(2A) shall in particular provide that a member who at the ^{F13}(1A) time of his election was a registered dentist or registered dental care professional is to be removed from office if he ceases to be registered in the register or (as the case may be) the dental care professionals register.]

(2) Council shall make rules to provide for an election scheme for the election of the members mentioned in paragraph 1(1)(a) and 1(1)(b) above.

^{F14}(3)

(4) The election scheme must secure that the Council’s membership includes at least one registered dentist from each of England, Scotland, Wales and Northern Ireland.

(5) A registered dentist is “from” England (etc.) if his address in the register is there at the time of his nomination.

^{F15}(6)

Textual Amendments

F11 Words in Sch. 1 para. 3(1) substituted (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. 47\(5\)\(a\)\(i\)](#) (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))

F12 Sch. 1 para. 3(1)(c) substituted (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. 47\(5\)\(a\)\(ii\)](#) (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))

F13 Sch. 1 para. 3(1A) 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. 47\(5\)\(b\)](#) (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))

F14 Sch. 1 para. 3(3) 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,

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- 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. 47\(5\)\(c\)](#) (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))
- F15** Sch. 1 para. 3(6) 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. 47\(5\)\(c\)](#) (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))

Council President

- 4 (1) The members of the Council shall elect one of their number to be President of the Council.
- (2) The Council shall make rules providing for the method by which the President is to be elected and for any matters concerning the holding of the office of President that they deem necessary.
- (3) Such rules may provide that the only persons eligible to be candidates shall be persons of a description specified in the rules.
- (4) No person may be elected as President more than once.
- ^{F16}(5)]

Textual Amendments

- F16** Sch. 1 para. 4(5) 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. 47\(6\)](#) (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))

- 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 ^{F18}... such fees and such travelling, subsistence or other allowances as they may determine.
- [^{F19}(2A) The Council shall also have power to pay the members of any of their committees such allowances and expenses as the Council 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 ^{F20}....

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Textual Amendments

- F18** Words in Sch. 1 para. 6(2) omitted (coming into force in accordance with art. 1(2) of the amending S.I.) by [S.I. 2001/3926](#), [art. 6\(3\)\(a\)](#)
- F19** Sch. 1 para. 6(2A) inserted (coming into force in accordance with art. 1(2) of the amending S.I.) by [S.I. 2001/3926](#), [art. 7\(2\)](#)
- F20** Words in Sch. 1 para. 6(4) omitted (coming into force in accordance with art. 1(2) of the amending S.I.) by [S.I. 2001/3926](#), [art. 6\(3\)\(b\)](#)

- [^{F217} (1) Subject to section 43B(13) and section 44(12), the Council may, after paying their expenses, allocate any of their income to—
- (a) purposes connected with education or research in relation to—
 - (i) the dental profession, or
 - (ii) professions complementary to dentistry; or
 - (b) any other public purpose connected with either or both of those professions.
- (2) In sub-paragraph (1), “expenses” includes the payments authorised under this Schedule to be made to members of the Council and their committees and the salaries and remuneration of the Council’s officers.]

Textual Amendments

- F21** Sch. 1 para. 7 substituted (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. 47\(7\)](#) (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))

- 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 [^{F22}section 2 of this Act], [^{F23}or to any officer of the Council,] functions of the Council, and
 - (c) [^{F24}subject to the provisions of this Act and in particular sub-paragraph (1A),] for appointing the members and regulating the proceedings (including quorum) of any committees, including the committees referred to in [^{F22}section 2 of this Act] and any sub-committees.
- [^{F25}(1A) The power conferred by sub-paragraph (1)(c) does not include power to make any rules regulating the proceedings of the committees referred to in section 2 of this Act, in so far as the power to make such rules is specifically conferred by Schedule 3 or 4B to this Act.]
- ^{F26}(2)
- [^{F27}(2A) Some or all of the members of committees of the Council may be persons who are not members of the Council.]
- ^{F26}(3)
- (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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Textual Amendments

- F22** Words in Sch. 1 para. 8(1)(b)(c) substituted (coming into force in accordance with art. 1(2) of the amending S.I.) by [S.I. 2001/3926](#), [art. 7\(1\)\(4\)\(a\)](#)
- F23** Words in Sch. 1 para. 8(1)(b) 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. 47\(8\)\(a\)](#) (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))
- F24** Words in Sch. 1 para. 8(1)(c) substituted (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. 47\(8\)\(b\)](#) (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))
- F25** Sch. 1 para. 8(1A) 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. 47\(8\)\(c\)](#) (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))
- F26** Sch. 1 para. 8(2)(3) 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. 47\(8\)\(d\)](#) (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))
- F27** Sch. 1 para. 8(2A) inserted (coming into force in accordance with art. 1(2) of the amending S.I.) by [S.I. 2001/3926](#), [art. 7\(1\)\(4\)\(c\)](#)

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