

Status: Point in time view as at 01/10/2006.

Changes to legislation: Dentists Act 1984, SCHEDULE 7 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 7

TRANSITIONAL PROVISIONS AND SAVINGS

General

- 1 Where a period of time specified in an enactment repealed by this Act is current at the commencement of this Act, this Act shall have effect as if the corresponding provision thereof had been in force when that period began to run.

Elections and nominations

- 2 Any election or nomination held or made before the commencement of this Act for the purposes of paragraph 1 of Schedule 4 to the ^{M1}Dentists Act 1983 shall have effect as if held or made for the purposes of Schedule 1 to this Act.

Marginal Citations

M1 1983 c. 38.

Registration

- 3 (1) Nothing in the repeals made by this Act shall affect the continued registration in the register of any person who was duly registered in it immediately before the commencement of this Act; and where any such person was so registered under, or in pursuance of a direction under, any provision of the ^{M2}Dentists Act 1957 his registration shall have effect as if effected under, or in pursuance of a direction under, the corresponding provision of this Act.
- (2) Without prejudice to sub-paragraph (1) above, in section 35 of this Act—
- (a) subsection (3) extends to a person who was registered under section 2A of that Act when he was subject to a disqualifying decision within the meaning of section 35, and
 - (b) subsection (5) extends to a person whose registration was effected under the said section 2A.

Marginal Citations

M2 1957 c. 28.

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Adaptation of references in enactments etc.

- 4 (1) In any enactment or instrument passed or made before the commencement of this Act for any reference to the Disciplinary Committee of the Council there shall be substituted a reference to the Professional Conduct Committee.
- (2) In any enactment or instrument passed or made before 1st January 1984 for any reference to ancillary dental workers, an ancillary dental worker or the ancillary Dental Workers Committee there shall be substituted a reference to dental auxiliaries, a dental auxiliary or the Dental Auxiliaries Committee, respectively.

Proceedings pending before Disciplinary Committee

- 5 For the purpose of the hearing and determination of any case or matter referred to the Disciplinary Committee before the commencement of this Act, paragraph 12 of Schedule 1 to the Dentists Act 1957 shall, notwithstanding the repeals made by this Act, apply in relation to the constitution and quorum of the Professional Conduct Committee as it applied in relation to the constitution and quorum of the Disciplinary Committee immediately before that commencement.
- 6 For the purposes of—
- (a) any case referred to the Disciplinary Committee under section 26 of the ^{M3}Dentists Act 1957 before the commencement of this Act, and any appeal or other proceedings arising out of any such case (including proceedings under section 44 of this Act),
- (b) any case referred to that committee under Article 7 of the ^{M4}Dental Qualifications (EEC Recognition) Order 1980 before that commencement, this Act, and any rules made under paragraph 2 of Schedule 3 to this Act (and any rules made on or after 13th May 1983 and having effect as if made under that paragraph) shall have effect with the substitution for any reference to serious professional misconduct of a reference to infamous or disgraceful conduct in a professional respect.

Marginal Citations

M3 1957 c. 28.

M4 S.I. 1980/703.

Rules of procedure

- 7 Any rules made by the Council before the commencement of this Act under section 27 of the Dentists Act 1957 and expressed to come into force at or after that commencement shall have effect as if made under paragraph 2 of Schedule 3 to this Act, and subparagraph (4) of that paragraph shall apply to any such rules accordingly.

Restrictions on carrying on the business of dentistry

- 8 Except in the case of a body corporate which—
- (a) ceased to carry on the business of dentistry before 1st January 1984, but
- (b) was again carrying on the business of dentistry on that date and had not ceased to carry on that business before the commencement of this Act,

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section 43(5) of this Act applies to a body corporate ceasing to carry on the business of dentistry before that commencement as well as to one ceasing to do so thereafter.

- 9
- (1) Any reference in section 41(2) or 44 of this Act to an erasure or conviction under any provision of this Act includes a reference to an erasure or conviction under the corresponding provision of the Dentists Act 1957 or under the corresponding provision of any enactment repealed by that Act.
 - (2) But a body corporate shall not be liable under section 44 to be deprived of the right to carry on the business of dentistry in consequence of any erasure or conviction which took place before 4th July 1956.
 - (3) Notwithstanding the reproduction in sub-paragraph (1) above, in so far as it provides for subsection (6) of section 44 to have effect in relation to convictions taking place before 1st January 1984, of the effect of Article 2(2) of the ^{M5}Dentists Act 1983 (Transitional Provisions) Order 1983, any question as to the validity of the provisions of that sub-paragraph, in so far as it so provides, shall be determined as if those provisions were contained in a statutory instrument made under the power under which Article 2(2) was made.

Marginal Citations

M5 [S.I. 1983/1520](#).

Documents issued by Dental Board

- 10
- The reference in section 52(2) of this Act to any document issued by the Council shall include any document issued by the Dental Board dissolved in pursuance of the ^{M6}Dentists Act 1956.

Marginal Citations

M6 [1956 c. 29](#).

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