



Dentists Act 1984

1984 CHAPTER 24

PART III

THE DENTAL PROFESSION

Professional conduct and fitness to practise

[^{F1}27B. The Practice Committees

- (1) Subject to subsection (4), a Practice Committee must investigate an allegation or allegations against a person referred to them by the Investigating Committee under section 27A and determine whether that person's fitness to practise as a dentist is impaired.
- (2) In making a determination under subsection (1), the Practice Committee may take into account whether the person who is the subject of the allegation or allegations has complied with any relevant parts of the guidance issued under section 26B, but that question is not of itself determinative of whether a person's fitness to practise as a dentist is impaired.
- (3) If the person who is the subject of an allegation or allegations is also registered in the dental care professionals register, a Practice Committee shall, in exercising their function under subsection (1), make a separate determination under section 36P(1) (fitness to practise as a member of a profession complementary to dentistry).
- (4) Where a Practice Committee consider that any allegation should not have been referred to them by the Investigating Committee under section 27A, they may refer that allegation back to the Investigating Committee.
- (5) If a Practice Committee determine that a person's fitness to practise as a dentist is not impaired, they—
 - (a) shall publish at his request a statement to that effect; or
 - (b) may publish such a statement if he consents.

Status: Point in time view as at 19/07/2005.

Changes to legislation: Dentists Act 1984, Section 27B is up to date with all changes known to be in force on or before 21 May 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)

- (6) If a Practice Committee determine that a person's fitness to practise as a dentist is impaired, they may, if they consider it appropriate, direct—
- (a) (subject to subsection (7)) that the person's name shall be erased from the register;
 - (b) that his registration in the register shall be suspended during such period not exceeding twelve months as may be specified in the direction;
 - (c) that his registration in the register shall be conditional on his compliance, during such period not exceeding three years as may be specified in the direction, with such conditions specified in the direction as the Practice Committee think fit to impose for the protection of the public or in his interests; or
 - (d) that he shall be reprimanded in connection with any conduct or action of his which was the subject of the allegation.
- (7) The direction specified in subsection (6)(a) shall not be given following a determination that a person's fitness to practise as a dentist is impaired solely on the ground mentioned in section 27(2)(c) (adverse physical or mental health).
- (8) Where a Practice Committee give a direction under subsection (6), the registrar shall forthwith serve on the person concerned notification of the direction and (except in the case of a direction under paragraph (d) of that subsection) of his right to appeal against it under section 29.
- (9) Where a Practice Committee make a determination under subsection (1) as to a person's fitness to practise as a dentist, they shall, at the same time, revoke any interim order which has been made under section 32 in respect of that person in consequence of the allegation, or allegations, to which that determination relates.
- (10) The revocation of an interim order under subsection (9) shall take effect—
- (a) in the case of a determination that the person's fitness to practise is not impaired, forthwith;
 - (b) in the case of a direction given under paragraph (d) of subsection (6), forthwith; and
 - (c) in the case of a direction given under paragraph (a), (b) or (c) of subsection (6), subject to section 30(5), from the time when—
 - (i) any direction given under those paragraphs takes effect in accordance with section 29A,
 - (ii) an appeal under section 29 against the decision giving such a direction is determined under section 29(3)(b) or (c), or
 - (iii) following a decision on appeal to remit the case to a Practice Committee, the Practice Committee dispose of the case.]

Textual Amendments

F1 Ss. 27-28 substituted for ss. 27, 28 (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. 18](#) (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))

Status:

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