



Dentists Act 1984

1984 CHAPTER 24

PART III

THE DENTAL PROFESSION

Professional conduct and fitness to practise

[^{F1}32 Interim orders

- (1) This section applies to the Professional Conduct Committee, the Professional Performance Committee, the Health Committee and the Interim Orders Committee, and any reference in this section to a “Committee” is a reference to any of those Committees.
- (2) The Interim Orders Committee may exercise functions under this section only in relation to a person whose case has been referred to them—
 - (a) by the registrar under section 27(5)(b);
 - (b) by the Investigating Committee under section 27A(4)(b) or (6)(b); or
 - (c) by a Practice Committee in accordance with rules under paragraph 7(1)(c) of Schedule 3.
- (3) A Practice Committee may exercise functions under this section only in relation to a person whose case has been referred to them—
 - (a) by the Investigating Committee under section 27A(4)(a) or (6)(a); or
 - (b) by another Practice Committee in accordance with rules under paragraph 7(1)(a) of Schedule 3.
- (4) Where a Committee are satisfied that it is necessary for the protection of the public or is otherwise in the public interest, or is in the interests of the person concerned, for the person’s registration to be suspended or to be made subject to conditions, the Committee may make—
 - (a) an order that his registration in the register shall be suspended during such period not exceeding 18 months as may be specified in the order (an “interim suspension order”); or

Status: Point in time view as at 01/12/2012. This version of this provision has been superseded.

Changes to legislation: Dentists Act 1984, Section 32 is up to date with all changes known to be in force on or before 13 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)

- (b) an order that his registration shall be conditional on his compliance, during such period not exceeding 18 months as may be specified in the order, with such conditions so specified as the Committee think fit to impose (an “order for interim conditional registration”).
- (5) Subject to subsection (11), where a Committee have made an interim suspension order or an order for interim conditional registration they—
- (a) shall review it within the period of six months beginning with the date on which the order was made, and shall thereafter, for so long as the order continues in force, further review it—
 - (i) before the end of the period of six months beginning with the date of the decision of the immediately preceding review, or
 - (ii) if after the end of the period of three months beginning with the date of the decision of the immediately preceding review the person concerned requests an earlier review, as soon as practicable after that request; and
 - (b) may review it where new evidence relevant to the order has become available after the making of the order.
- (6) Where an interim suspension order or an order for interim conditional registration has been made in relation to a person under any provision of this section (including this subsection), the Committee that made the order may—
- (a) revoke the order;
 - (b) make an order adding to, varying or revoking any condition imposed by the order;
 - (c) if satisfied that to do so is necessary for the protection of the public or is otherwise in the public interest, or is in the interests of the person concerned, replace an interim suspension order with an order for interim conditional registration having effect for the remainder of the term of the former; or
 - (d) if satisfied that to do so is necessary for the protection of the public or is otherwise in the public interest, or is in the interests of the person concerned, replace an order for interim conditional registration with an interim suspension order having effect for the remainder of the term of the former.
- (7) If a Committee make an order under any provision of this section—
- (a) the registrar shall forthwith serve notification of the order on the person to whose registration it relates; and
 - (b) that order shall take effect from the time on which the notification mentioned in paragraph (a) is served.
- (8) The Council may apply to the court for an order made by a Committee under subsection (4) or (6) to be extended, and may apply again for further extensions.
- (9) On each such application the court may extend (or further extend) for up to twelve months the period for which the order has effect.
- (10) Any reference in this section to an interim suspension order, or to an order for interim conditional registration, includes a reference to such an order as so extended.
- (11) For the purposes of subsection (5) the first review after the court’s extension of an order made by a Committee or after a replacement order made by a Committee under subsection (6)(c) or (d) shall take place—

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- (a) if the order (or the order which has been replaced) had not been reviewed at all under subsection (5), within the period of six months beginning with the date on which the court ordered the extension or on which a replacement order under subsection (6)(c) or (d) was made; and
 - (b) if it had been reviewed under subsection (5), within the period of three months beginning with that date.
- (12) Where an interim order has effect under any provision of this section, the court may—
- (a) in the case of an interim suspension order, terminate the suspension,
 - (b) in the case of an order for interim conditional registration, revoke the order or revoke, vary or add to any condition imposed by the order,
 - (c) in either case, substitute for the period specified in the order (or in an order extending it) some other period which could have been specified in the order (or in the order extending it) when it was made,
- and the decision of the court on any application under this subsection shall be final.
- (13) In this section “the court” has the meaning given by section 30(8).]

Textual Amendments

- F1** S. 30 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. 23 (with Sch. 7) (with transitional provisions in [S.I. 2006/1671](#))

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