



Dentists Act 1984

1984 CHAPTER 24

PART III

THE DENTAL PROFESSION

[^{F1}Supplementary provisions]

[^{F1}33B. The Council's power to require disclosure of information

- (1) For the purpose of assisting the Council or any of their committees in carrying out functions under this Part, the Council may require a person (“the relevant party”) whose fitness to practise as a dentist is in question, to provide details of any person—
 - (a) by whom the relevant party is employed to provide services in, or in relation to, any area of dentistry; or
 - (b) with whom he has an arrangement to provide such services.
- (2) For the purpose of assisting the Council or any of their committees in carrying out functions under this Part in respect of a person's fitness to practise as a dentist, the Council may require any person (except the person in respect of whom the information or document is sought) to supply any information or produce any document in his custody or under his control which appears to the Council relevant to the discharge of those functions.
- (3) Nothing in this section shall require or permit any disclosure of information which is prohibited by any relevant enactment.
- (4) For the purposes of subsection (3), “relevant enactment” means any enactment other than—
 - (a) this Act; or
 - (b) the non-disclosure provisions within the meaning of Part 4 of the Data Protection Act 1998 (see section 27 of that Act).

Status: Point in time view as at 19/07/2005. This version of this provision has been superseded.

Changes to legislation: Dentists Act 1984, Section 33B is up to date with all changes known to be in force on or before 28 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)

- (5) A person shall not be required to supply any information or produce any document under subsection (2) which he could not be compelled to supply or produce in civil proceedings before the relevant court.
- (6) In subsection (5) “the relevant court” means—
- (a) if the person’s address in the register is in Scotland or, if he is not registered in the register, he is resident there, the Court of Session;
 - (b) if the person’s address in the register is in Northern Ireland or, if he is not registered in the register, he is resident there, the High Court in Northern Ireland;
 - (c) in any other case, the High Court in England and Wales.
- (7) If a person fails to supply any information or produce any document within 14 days of being required to do so under subsection (1) or (2), the Council may seek an order of the relevant court requiring the information to be supplied or the document to be produced.
- (8) In subsection (7), “the relevant court” means the county court or, in Scotland, the sheriff.
- (9) In subsection (8), “the sheriff” means the sheriff in whose sheriffdom is situated the address of the person who fails to supply the information or produce the document; and in this subsection, “address” means, where the person is registered, his address in the register, or, where he is not registered in the register, the address where he resides.
- (10) For the purposes of subsection (4), “enactment” includes—
- (a) a provision of, or an instrument made under, an Act of the Scottish Parliament;
 - (b) a provision of, or an instrument made under, Northern Ireland legislation; and
 - (c) a provision of subordinate legislation (within the meaning of the Interpretation Act 1978).]

Textual Amendments

- F1** Ss. 33A-33C 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. 25](#) (with [Sch. 7](#)) (with transitional provisions in [S.I. 2006/1671](#))

Status:

Point in time view as at 19/07/2005. This version of this provision has been superseded.

Changes to legislation:

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