



Dentists Act 1984

1984 CHAPTER 24

PART VI

MISCELLANEOUS AND SUPPLEMENTARY

Supplementary

50 Evidence etc. in certain proceedings under this Act

- (1) For the purposes of any relevant proceedings before the Professional Conduct Committee or the Dental Auxiliaries Committee in England and Wales or Northern Ireland, the Committee may administer oaths, and any party to the proceedings may sue out writs of subpoena ad testificandum and duces tecum, but no person shall be compelled under any such writ to produce any document which he could not be compelled to produce on the trial of an action.
- (2) Section 36 of the Supreme Court Act 1981 and section 67 of the Judicature (Northern Ireland) Act 1978 (subpoena issued by High Court to run throughout United Kingdom) shall apply in relation to any such proceedings in England and Wales and in Northern Ireland respectively as they apply in relation to causes or matters in the High Court.
- (3) For the purposes of any relevant proceedings before the Professional Conduct Committee or the Dental Auxiliaries Committee in Scotland, the Committee may administer oaths and the Court of Session shall on the application of any party to the proceedings have the like power as in any action in that Court—
 - (a) to grant warrant for the citation of witnesses and havers to give evidence or to produce documents before the Committee, and for the issue of letters of second diligence against any witness or haver failing to appear after due citation;
 - (b) to grant warrant for the recovery of documents; and
 - (c) to grant commissions to persons to take the evidence of witnesses or to examine havers and receive their exhibits and productions.
- (4) In this section "relevant proceedings"—

Status: This is the original version (as it was originally enacted).

- (a) in relation to the Professional Conduct Committee, means proceedings relating either to the restoration of a person's name to the register or to the withdrawal from a body corporate of the right to carry on the business of dentistry, and
- (b) in relation to the Dental Auxiliaries Committee, means proceedings under regulations made by virtue of section 48(2) above and relating to the erasure of a person's name from any roll or record established pursuant to section 45(2) above;

and references to the Dental Auxiliaries Committee include a sub-committee of that Committee.

- (5) In relation to any relevant proceedings before the Professional Conduct Committee or the Dental Auxiliaries Committee, " party " means, unless the context otherwise requires—
- (a) in a case relating to the restoration of a person's name to the register, that person,
 - (b) in a case relating to the withdrawal from a body corporate of a right to carry on the business of dentistry, that body corporate and any director of that body corporate,
 - (c) in a case relating to the erasure of a person's name from a roll or record, that person, and
 - (d) in any case, any person on whose complaint the proceedings are brought or any solicitor appointed by the Council to represent them at the proceedings.