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STATUTORY INSTRUMENTS

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**2005 No. 2011**

**The Dentists Act 1984 (Amendment) Order 2005**

**PART 6**

Further amendments

**Amendment of section 51**

**44.** In section 51 (exercise of powers conferred on Privy Council)—

- (a) the existing provision shall be numbered as subsection (1); and
- (b) after subsection (1) insert—

“(2) Any power of the Privy Council to make an order under this Act shall be exercisable by statutory instrument, except—

- (a) the power to make an order under section 11 (remedy where qualifying courses of study or examinations are inadequate); and
  - (b) the power to make an order under section 12 (candidates not to be required to adopt or reject particular theories of dentistry).
- (3) A statutory instrument which contains an order made by the Privy Council—
- (a) under section 1(2A) (constitution of the Council),
  - (b) approving rules under section 41(1) (restriction on individuals carrying on the business of dentistry),
  - (c) approving rules under Schedule 3 (proceedings before the Investigating Committee, the Interim Orders Committee and Practice Committees: dentists),
  - (d) approving rules under Schedule 4B (proceedings before the Investigating Committee, the Interim Orders Committee and Practice Committees: dental care professionals), or
  - (e) approving rules under Schedule 4C (advisers),

shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(4) Where a statutory instrument is made which contains an order made by the Privy Council approving regulations under section 36A(2) (professions complementary to dentistry)—

- (a) in the case of regulations to which subsection (5) applies, that instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament; and
  - (b) in any other case, that instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament or of the Scottish Parliament.
- (5) This subsection applies to regulations which specify a profession complementary to dentistry, or a class of members of such a profession, which, immediately before the

revocation of the Dental Auxiliaries Regulations 1986 (S.I.1986/887), constituted a class of dental auxiliaries regulated by those Regulations.

(6) Any act of the Privy Council under this Act shall be sufficiently signified by an instrument signed by the Clerk of the Privy Council.

(7) Any document purporting to be—

(a) an instrument made by the Privy Council under this Act, and

(b) signed by the Clerk of the Privy Council,

shall be evidence (and in Scotland sufficient evidence) of the fact that the instrument was so made and of its terms.”.