

2006 No. 1666

HEALTH CARE AND ASSOCIATED PROFESSIONS

DENTISTS

PROFESSIONS COMPLEMENTARY TO DENTISTRY

**The General Dental Council (Constitution) Order of Council
2006**

Made - - - - - *23rd June 2006*

Laid before Parliament *29th June 2006*

Coming into force - - - *31st July 2006*

At the Council Chamber, Whitehall, the 23rd day of June 2006

By the Lords of Her Majesty's Most Honourable Privy Council

Their Lordships make the following Order in exercise of their powers conferred under section 1(2A) and (2B) of the Dentists Act 1984(a).

Citation, commencement and interpretation

1.—(1) This Order may be cited as the General Dental Council (Constitution) Order of Council 2006 and shall come into force on 31st July 2006.

(2) In this Order—

“the Act” means the Dentists Act 1984; and

“the unexpired term” means the period beginning with the date on which the member ceased to be a member and ending with the date on which his full term of office would otherwise have expired.

Constitution of the Council

2. The numbers of each of the three categories of member mentioned in paragraph 1(1) of Schedule 1 to the Act(b) (the Council: supplementary provisions) shall be as follows—

- (a) 15 members who are registered dentists;
- (b) 4 members who are registered dental care professionals; and

(a) 1984 c.24; section 1 was amended by S.I. 2001/3926 and 2005/2011.

(b) Paragraph 1 of Schedule 1 was amended by S.I. 2001/3926 and 2005/2011, and by the Health and Social Care (Community Health and Standards) Act 2003 (c.43), Schedule 12, paragraph 3.

- (c) 10 lay members.

Appointment of lay members

3. The Privy Council may appoint as lay members persons whom the Privy Council considers to have such qualifications or experience as will be of value to the Council in the performance of their duties.

Tenure of office of members of the Council

- 4. Subject to articles 5 and 6, each member's term of office shall be a period of five years.

Termination of office

- 5.—(1) A person shall cease to be a member of the Council if he falls—
- (a) within article 2(a) and—
 - (i) his name is erased from the register or he otherwise ceases to be registered in the register, or
 - (ii) his registration in the register is suspended, otherwise than in accordance with section 30(a) (orders for immediate suspension and immediate conditional registration) or 32(b) (interim orders) of the Act (including suspensions under those sections as they had effect before 31st July 2006);
 - (b) within article 2(b) and—
 - (i) his name is erased from the dental care professionals register or he otherwise ceases to be registered in the dental care professionals register, or
 - (ii) his registration in the dental care professionals register is suspended, otherwise than in accordance with section 36U(c) (orders for immediate suspension and immediate conditional registration) or 36V(d) (interim orders) of the Act; or
 - (c) within article 2(c) and there is a change in his position or circumstances such that it appears to the Privy Council that he will no longer contribute to the Council's exercise of their functions in such a manner as justifies his continued membership.
- (2) A member may resign at any time by giving notice in writing addressed to the registrar.
- (3) When a lay member ceases to be a member, the Council shall inform the Privy Council.
- (4) When a lay member's successor is appointed during the unexpired term, the successor's term of office shall be for the remainder of the unexpired term.

By-election

6. In the event of a person who falls within article 2(a) or (b) ceasing to be a member of the Council by virtue of article 5—
- (a) a by-election shall be held to fill any such vacancy which occurs more than twelve months before the end of the period for which that member had been elected; and
 - (b) the newly elected member's term of office shall be for the remainder of the unexpired term.

A K Galloway
Clerk of the Privy Council

(a) Section 30 was amended by S.I. 2005/2011.
(b) Section 32 was amended by S.I. 2005/2011.
(c) Section 36U was inserted by S.I. 2005/2011.
(d) Section 36V was inserted by S.I. 2005/2011.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the constitution of the General Dental Council. Article 2 specifies the numbers of each of the three categories of members of that Council. Article 3 provides for the appointment of lay members. Articles 4 to 6 make provision as to members' tenure of office, termination of office and by-elections.

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