

## SCHEDULE 1

### Amendments to the Dentists Act 1984

#### Amendment of Schedule 1

**13.**—(1) Schedule 1(1)(the Council and Committees of the Council: supplementary provisions) is amended in accordance with this paragraph.

(2) For paragraph 1 (constitution) substitute the following paragraphs—

#### “Constitution

**1A.**—(1) The Council shall consist of—

- (a) registrant members, that is members who are registered dentists or registered dental care professionals; and
- (b) lay members, that is members who—
  - (i) are not and never have been registered dentists or registered dental care professionals, and
  - (ii) do not hold qualifications which would entitle them to apply for registration as a registered dentist or registered dental care professional.

(2) The members of the Council shall be appointed by the Privy Council.

(3) The Privy Council shall ensure that, at any time, at least one member of the Council lives or works wholly or mainly in each of England, Scotland, Wales and Northern Ireland.

(4) Before the Privy Council directs the Appointments Commission under section 60(1) of the Health Act 2006 to exercise any function of the Privy Council relating to the appointment of members of the Council, the Privy Council shall consult the Council.

#### Matters for the order of the Privy Council under section 1(2A)

**1B.**—(1) An order under section 1(2A) shall include provision with regard to—

- (a) the numbers of registrant members and lay members of the Council;
- (b) the terms of office for which members of the Council are appointed, and the order may provide that these are to be determined by the Privy Council, on appointment;
- (c) the grounds on which persons are to be disqualified from appointment as registrant or lay members of the Council;
- (d) the appointment of a chair of the Council and the chair’s term of office, and the order may provide that the term is to be determined by whoever makes the appointment as chair, on appointment;
- (e) deputising arrangements in respect of the chair;
- (f) the quorum of the Council; and
- (g) the circumstances in which members cease to hold office or may be removed or suspended from office.

(2) But an order under section 1(2A) must not include any provision which would have the effect that a majority of the members of the Council would be lay members.

(3) An order under section 1(2A) may include provision with regard to—

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(1) Schedule 1 has been amended by: the Health and Social Care (Community Health and Standards Act 2003 (c.43), Schedule 12, paragraph 3; the Health Act 2006 (c.28), Schedule 8, paragraph 27; and by S.I. 20013926 and 2005/2011.

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- (a) the maximum period for which a member of the Council may hold office as a member during a specified period;
- (b) the maximum period for which a member of the Council may serve as chair of the Council during a specified period;
- (c) the education and training of members of the Council, and the order may provide for the Council to include the requirements with regard to education and training of its members in standing orders, and for those standing orders to provide for—
  - (i) that education and training to be the responsibility of another body, and
  - (ii) those requirements to be set and varied by that body from time to time;
- (d) the attendance of members of the Council at meetings of the Council; and
- (e) the effect (if any) of any vacancy in the membership of the Council or any defect in the appointment of a member.

(4) An order under section 1(2A) may make different provision for different cases or different classes of case and may contain such incidental, consequential, transitional, transitory, saving or supplementary provisions as appear to the Privy Council to be necessary or expedient.”

(3) Omit paragraphs 2 (lay members), 3 (members who are registered dentists or registered dental care professionals) and 4 (Council President).

(4) In paragraph 6(2) (which relates to general powers of the Council)—

- (a) in sub-paragraph (3), omit “of the Council and”; and
- (b) in sub-paragraph (4), omit “of the Council or”.

(5) In paragraph 8 (which relates to the general powers of the Council to make rules)—

- (a) in sub-paragraph (1), omit paragraph (a); and
- (b) after sub-paragraph (1A)(3) insert the following sub-paragraphs—

“(1B) Rules made under sub-paragraph (1)(c) may make provision for a body (including a committee of the Council which is not one of the committees referred to in section 2) to assist the Council in connection with the exercise of any function relating to the appointment of members or particular members of the Council’s committees.

(1C) Rules made under sub-paragraph (1)(c) by virtue of sub-paragraph (1B) may authorise a body—

- (a) to appoint committee members on behalf of the Council; or
- (b) to perform any function relating to tenure of office or suspension or removal from office.”

(6) After paragraph 8 insert the following paragraph—

“**8A.**—(1) Subject to any provision made by this Act or by rules under this Act, the Council may regulate its procedures and the procedures of its committees and sub-committees, other than the committees referred to in section 2, by standing orders.

(2) Standing orders of the Council may make provision with regard to the provisional suspension of a member of the Council from office, pending the taking of a decision about the suspension or removal from office of the member in accordance with the provisions of an order under section 1(2A).

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(2) Amended by [S.I. 2001/3926](#).

(3) Inserted by [S.I. 2005/2011](#).

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(3) Subject to any provision made by this Act, by rules under this Act or by standing orders made by virtue of sub-paragraph (1), each committee and sub-committee of the Council may regulate its own procedures.”