
STATUTORY INSTRUMENTS

2005 No. 2011

The Dentists Act 1984 (Amendment) Order 2005

PART 2

The Council, their Committees and Registration

Insertion of sections 2A to 2D

5. After section 2 insert—

“The Council’s duty to co-operate

2A.—(1) In the exercise of their functions, the Council shall co-operate in so far as reasonably practicable with public authorities, and other bodies and persons, falling within subsection (2).

(2) Public authorities, bodies and persons fall within this subsection if—

- (a) they are concerned with the employment (whether or not under a contract of service) of registered dentists or registered dental care professionals;
- (b) they provide, assess or fund education or training for those who are, or seek to become, registered dentists or registered dental care professionals, or they propose to do so;
- (c) they regulate services in the provision of which registered dentists or registered dental care professionals are engaged;
- (d) they carry out activities in connection with the services provided by the professions regulated under this Act; or
- (e) they—
 - (i) are responsible for regulating or co-ordinating the regulation of health or social care professions not regulated under this Act, or
 - (ii) carry out activities in connection with the services provided by those professions.

(3) In carrying out their duty to co-operate under subsection (1), the Council shall have regard to any differing considerations in relation to the practice of dentistry which apply in England, Scotland, Wales and Northern Ireland.

Annual and other reports

2B.—(1) The Council shall prepare a report for each calendar year on the exercise of their functions in that year.

(2) The Council must submit each report prepared under subsection (1) to the Privy Council within the calendar year after the year to which the report relates.

(3) The first report prepared under subsection (1) shall relate to the last complete calendar year before the commencement of this subsection.

(4) The Privy Council shall, as soon as reasonably practicable after a report is submitted to it under subsection (2), lay a copy of that report before each House of Parliament and the Scottish Parliament.

(5) The Council shall publish at least once in each calendar year a statistical report which indicates the efficiency and effectiveness of the arrangements they have put in place to protect the public from persons whose fitness to practise as a dentist or as a member of a profession complementary to dentistry is impaired, together with the Council's observations on the report.

Accounts

2C.—(1) The Council shall—

- (a) keep accounts, and
- (b) prepare a statement of accounts in respect of each calendar year,

in such form as the Privy Council may determine in writing.

(2) The Council shall appoint an auditor to audit each statement of accounts prepared in accordance with subsection (1)(b), and the auditor must prepare a report on each statement of accounts.

(3) The auditor appointed must be eligible for appointment as a company auditor under section 25 of the Companies Act 1989 or article 28 of the Companies (Northern Ireland) Order 1990.

(4) The Council shall, as soon as reasonably practicable after the end of each calendar year—

- (a) publish the statement of accounts for that year, together with the auditor's report on it; and
- (b) send a copy of the statement of accounts and the report to the Privy Council and the Comptroller and Auditor General.

(5) The Comptroller and Auditor General shall examine, certify and report on each statement of accounts received under subsection (4) and for these purposes may inspect accounts kept by the Council in accordance with subsection (1)(a).

(6) The Comptroller and Auditor General shall send a copy of each report prepared by him under subsection (5) to the Council and the Privy Council.

(7) The Privy Council shall, as soon as reasonably practicable after the end of each calendar year, lay before each House of Parliament and the Scottish Parliament a copy of—

- (a) the statement of accounts for that year as certified by the Comptroller and Auditor General;
- (b) the auditor's report for that year; and
- (c) the report of the Comptroller and Auditor General for that year.

Complaints

2D.—(1) The Council may incur expenditure for the purposes of investigating and resolving dental complaints.

(2) In this section "dental complaints" means complaints made by users of the services of registered dentists or the services of registered dental care professionals about—

- (a) the dental services provided by a registered dentist, a registered dental care professional or a body corporate carrying on the business of dentistry; or
 - (b) the goods or materials provided to persons, or the facilities provided for persons, using those dental services.
- (3) The Council may also incur expenditure for the purposes of assisting the parties to the dental complaint in reaching a satisfactory resolution of that complaint.”.