

CHAPTER 367

DENTAL REGISTRATION

1973-17

This Act came into operation on 28th May, 1973 by Proclamation (S.I. 1973 No. 67).

Amended by:

1974-51

1985-4

1978-45

1990-3

Law Revision Orders

The following Law Revision Order or Orders authorized the insertion and removal of pages as the case may be under the Law Revision Act Cap.2 now repealed:

1987

1991

Guide to symbols in historical notes:

- indicates an amendment made by an Act

/ indicates an amendment made by statutory instrument

CHAPTER 367

**DENTAL REGISTRATION
1973-17**

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Constitution of Council

**BARBADOS****DENTAL REGISTRATION
1973-17**

An Act to make new provision for the registration in Barbados of dental practitioners, dental auxiliaries, dental hygienists, dental technicians and of persons licensed to perform specified dental services and for related purposes.

[Commencement: 28th May, 1973]

**PART I
PRELIMINARY****Short title**

1. This Act may be cited as the *Dental Registration Act*.

Interpretation

- 2.(1) For the purposes of this Act

“annual registration fee” means the fee payable annually in accordance with section 4 of the *Profession, Trade and Business Registration Act*, Cap. 373;

[1978-45]

“child” means an individual under 18 years old.

[1985-4]

“Council” means the Dental Council established by section 3;

“dental auxiliary” means a person whose name appears on the Dental Auxiliaries Register and who is employed on a full-time basis in the public service to perform dental services on children, who have not attained the school-leaving age;

“dental hygienist” means a person whose name appears on the Dental Hygienists Register and who performs dental services under the supervision of a dental practitioner;

“dental licensed person” means a person whose name appears on the Register of Dental Licensed Persons;

[1985-4]

“dental technician” means a person whose name appears on the Dental Technicians Register;

“dentistry” means any professional service performed by a dental practitioner, and includes

- (a) the diagnosis or treatment of, and the prescribing, treating or operating for the prevention, alleviation or correction of any disease, pain, deficiency, deformity, defect, lesion, disorder, or abnormal physical condition of, in or from any human tooth, jaw or associated structure or tissue or any injury thereto;
- (b) the prescribing or advising the use of any prosthetic denture, bridge, appliance or device for the purposes specified in paragraph (a), or to replace, improve or supplement any human tooth, or to prevent, alleviate, correct or improve any condition to such tooth;
- (c) the taking or giving of advice or assistance, or the providing of facilities for the taking or making of any impression, bite, cast or design preparatory to, or for the purpose of, or with a view to the making, producing, reproducing, constructing, fitting, furnishing, supplying,

altering or repairing of any prosthetic denture, bridge, appliance or device;

“first registration fee” means the fee payable on first registration in accordance with section 3 of the *Profession, Trade and Business Registration Act*, Cap. 373;

[1978-45]

“licensed person” means a person whose name appears on the Register of Dental Licensed Persons;

[1985-4]

“Minister” means the Minister responsible for Health;

“prescribed fee” means the fee prescribed by regulations;

“register” means the appropriate register required to be kept by the Registrar under section 4 or 9;

“Registrar” means the Registrar of the Supreme Court;

“temporary registration fee” means the fee payable on temporary registration in accordance with section 20B (1) (a) and specified in the *Fifth Schedule* of the *Profession, Trade and Business Registration Act*, Cap. 373;

[1990-3]

“The Secretary” means the person for the time being performing the functions of Secretary to the Council.

(2) A reference in any enactment to a registered dental practitioner, legally qualified dental practitioner or duly qualified dental practitioner shall be construed as a reference to a dental practitioner.

Establishment of Dental Council

3.(1) For the purposes of this Act, there is hereby established a Council to be known as the Dental Council.

(2) The Council shall be a body corporate and section 21 of the *Interpretation Act*, Cap. 1 applies thereto.

- (3) The provisions of the *Schedule* shall have effect with respect to the constitution of the Council and otherwise in relation thereto.
- (4) The Council shall
- (a) as soon as practicable after the beginning of each year, submit to the Minister a report of its activities during the preceding year; and
 - (b) advise the Minister where necessary on matters relating to
 - (i) dental services in Barbados, and to the performance of those services by dental auxiliaries, dental hygienists, dental technicians and dental licensed persons,
[1985-4]
 - (ii) the establishment of a suitable training programme for persons to perform the services of dental auxiliaries dental hygienists, dental technicians or dental licensed persons and for the maintenance of a good standard for those services.
[1985-4]

PART II

DENTAL PRACTITIONERS

Dental Register

- 4.(1)** The Registrar shall keep a register, to be known as the Dental Register, in which he shall cause to be entered the name of every person required by section 5 or entitled under section 6 to be registered as a dental practitioner, together with the following particulars in relation to each such person
- (a) his full name and address;
 - (b) the date of his registration;
 - (c) a description and the date of the qualification in respect of which he is registered.

- (2) The register shall at all reasonable times be open to inspection at the Registration Office.
- (3) The Registrar shall make such alterations in the addresses and qualifications of dental practitioners as are necessary, and shall remove from the register the name of a dental practitioner who is deceased or no longer qualified to practise dentistry in Barbados.
- (4) Subject to section 5, a person whose name is not entered in the register shall be deemed not to be a dental practitioner for the purposes of this Act.

Registration of existing dental practitioners

5. The Registrar shall immediately upon 28th May, 1973 cause to be entered in the register the particulars specified in paragraphs (a), (b) and (c) of section 4(1) of those persons who immediately before that date were registered under the *Dental Registration Act** without application on the part of those persons and without the payment of a fee, and pending such entry, those persons shall be deemed to be dental practitioners.

**[Repealed and replaced by this Act.]*

First registration of dental practitioners

6.(1) A person who, after 28th May, 1973, applies to the Council to be registered as a dental practitioner and who satisfies the Council that

- (a) he can read, write, speak and understand the English language;
- (b) he is qualified to be so registered; and
- (c) he is a fit and proper person to practise dentistry in Barbados,

is entitled upon compliance with the requirements of this Act and on payment of the first registration fee, to be registered as a dental practitioner.

[1978-45]

(2) A person is qualified to be registered as a dental practitioner under subsection (1) if he holds a diploma, degree, fellowship, membership, licence, certificate or other status or form of recognition granted by a University, College

or Body empowered to confer authority to practise dentistry by the law of the country or place where it is granted and which in the opinion of the Council is evidence of satisfactory dental training.

- (3) An applicant for registration shall furnish to the Secretary
- (a) evidence of his qualifications;
 - (b) proof of his identity; and
 - (c) such further or other information as the Council requires in respect of the matters specified in subsection (1).

[1974-51]

Power of Council to require examination

7. Where in respect of an application for registration as a dental practitioner

- (a) the Council is satisfied as to the matters specified in paragraph (c) of section 6 (1), but does not consider the qualification which the applicant holds to be evidence of satisfactory dental training; or
- (b) a question arises with respect to the evidence presented by the applicant as to his training,

the Council may, in its absolute discretion, require the applicant to submit to examination in such subjects as it considers necessary to establish that he possesses satisfactory dental training.

Additional qualifications

8. Where a dental practitioner obtains a qualification approved by the Council as higher than or additional to that in respect of which he is registered, he is entitled without the payment of any fee to have that higher or additional qualification entered by the Registrar in the register in substitution for or in addition to the qualification in respect of which he is registered.

PART III

DENTAL AUXILIARIES, DENTAL HYGIENISTS, DENTAL
TECHNICIANS AND DENTAL LICENSED PERSONS**Dental auxiliaries, dental hygienists, dental technicians, and dental licensed persons registers**

9. The Registrar shall keep the following:
- (a) a register to be known as the Dental Auxiliaries Register;
 - (b) a register to be known as the Dental Hygienists Register;
 - (c) a register to be known as the Dental Technicians Register; and
 - (d) a register to be known as the Register of Dental Licensed Persons.

[1985-4]

[1985-4]

First registration of dental auxiliaries, dental hygienists, dental technicians or dental licensed persons

10. The Registrar shall cause to be entered in the register the name of every person entitled under section 12 to be registered as a dental auxiliary, dental hygienist or dental technician, or entitled under section 13 to be registered as a dental licensed person, together with the following particulars in respect of each such person

- (a) his full name and address;
- (b) the date of his registration;
- (c) a description and date of qualification in respect of which he is registered in the case of a dental auxiliary, dental hygienist or dental

technician, and the dental services that may be performed under licence in the case of a dental licensed person.

[1985-4]

[1985-4]

Application of sections 4(2) and 4(3)

11.(1) Sections 4(2) and 4(3) apply *mutatis mutandis* to a register kept by the Registrar under section 9.

(2) A person whose name is not entered in a register kept by the Registrar under this Part shall be deemed not to be a dental auxiliary, dental hygienist, dental technician or a dental licensed person, as the case may be, for the purposes of this Part.

Persons entitled to be registered as dental auxiliaries, dental hygienists or dental technicians

12.(1) A person who after the 28th May, 1973 applies to the Council to be registered as a dental auxiliary, dental hygienist or dental technician and who satisfies the Council that

- (a) he is qualified to be so registered;
- (b) he is a fit and proper person to perform the services of a dental auxiliary, dental hygienist or dental technician; and
[1985-4]
- (c) he is able to read, write, speak and understand the English language;
[1985-4]

is entitled upon compliance with the requirements of this Part and on payment of the prescribed fee to be registered as such under this Part.

- (2) For the purposes of subsection (1)
- (a) a person who has completed a course of training approved by the Council and has passed the approved examination is qualified to be

registered as a dental auxiliary, dental technician or dental hygienist;
and

- (b) a person who does not satisfy the requirements specified in paragraph (a), but satisfies the Council that he is sufficiently knowledgeable and skilled, is deemed to be qualified to be registered as a dental technician.

[Act 1974-51]

Dental licensed persons

13.(1) A person who, after the 28th May, 1973, has been registered as a licensed person under this Part, shall continue to be registered as a dental licensed person under this Part, subject to subsection (6); and no renewal of that registration is necessary.

(2) The Council may grant a licence to a person who continues to be registered under subsection (1), for any period not exceeding 3 years, and shall specify in the licence the dental services he may perform.

(3) A licence granted under this section is subject to such other conditions or restrictions as the Council thinks fit.

(4) A person to whom a licence is granted under this section, is entitled, on payment of the fee payable to the Registrar in accordance with section 4 of the *Profession, Trade and Business Registration Act*, Cap. 373, to continue to be registered under that Act as a dental licensed person.

(5) A dental licensed person whose licence has expired may apply to the Council for the grant of a further licence and the provisions of subsections (2), (3) and (4) apply to that licence.

(6) Where the Council is satisfied that a dental licensed person has failed to comply with any conditions or restrictions attached to the licence, it may suspend for a period not exceeding one year, or revoke the licence, as it thinks fit.

(7) Where the Council under subsection (6) suspends or revokes a licence, it shall cause written notice of that suspension or revocation to be given to the

Registrar, and the Registrar shall as soon as practicable after receiving the notice cause a notice thereof to be published in the *Official Gazette*.

(8) Any decision of the Council under this section is final.

[1985-4]

Power of Council to impose conditions of registration in respect of dental auxiliaries, dental hygienists or dental technicians

14. Where an applicant for registration as a dental auxiliary, dental hygienist or dental technician fails to satisfy the requirements of this Part, the Council may require that person to

- (a) furnish further evidence of qualification; or
- (b) submit to an examination in such subjects as it considers necessary to establish that he has completed a satisfactory course of training as a dental auxiliary, dental hygienist or dental technician.

Council may vary terms of licence

15.(1) Subject to subsection (2), the Council may on the application of a dental licensed person extend the dental services specified in a licence granted under this Part.

(2) An application under subsection (1) shall be supported by evidence that satisfies the Council as to the applicant's competence to perform the additional dental services for which he seeks registration and shall be in the form approved by the Council.

[1985-4]

[1985-4]

16. *[Repealed by 1985—4.]*

17. *[Repealed by 1985—4.]*

PART IV
MISCELLANEOUS

Form of application for registration

18. An application for registration under this Act shall be made in the form approved by the Council.

[1985-4]

Examinations

19.(1) For the purposes of any examination required under this Act, the Council shall appoint a board of examiners, in this section referred to as the Board, consisting of not less than 3 persons 1 of whom shall be a dental practitioner, 1 from the same related area of dental health as the candidate to be examined and such other person as the Dental Council determines; and the Board shall set and conduct the examinations in such subjects as the Council directs.

(2) The Council shall fix a time and place for holding the examination, and the Secretary shall notify a candidate of that time and place.

(3) A candidate shall pay to the Secretary such examination fee as may be determined by the Council with the approval of the Minister.

(4) The Board shall as soon as practicable after the examination report its findings thereon to the Council.

(5) Where the Board finds that a candidate is sufficiently informed and skilled in the subjects in which he was examined, he shall be deemed on receipt of the report by the Council of those findings, to have satisfied the Council that he is qualified to be registered under this Act.

(6) Where the Board reports to the Council that a candidate is unsuccessful in the examination, he shall not, unless the Board so recommends, be permitted to present himself for further examination until the expiration of 6 months from the date of the examination in which he is unsuccessful.

(7) A candidate who is unsuccessful in an examination under this Act shall, before being permitted to sit for further examination, comply with such conditions as the Council directs, including the payment to the Secretary of such further examination fee as the Council determines with the approval of the Minister.

[1985-4]

Annual registration and penalty for late payment of annual registration fees

20.(1) A person registered under this Act who desires to practise dentistry in Barbados in any year shall, in the month of January of that year, cause his name to be registered in the register and shall obtain a certificate of that registration from the Registrar on payment of the appropriate fee.

(2) A person registered under this Act who desires to perform dental services in Barbados in any year shall cause his name to be registered in the register and shall obtain a certificate of that registration from the Registrar on payment of the prescribed annual registration fee.

(3) The prescribed annual registration fee becomes due and payable on 1st January in each year.

(4) A person required by subsection (2) to pay an annual registration fee who fails to pay such fee during the month of January in any year shall, in respect of his registration for that year, pay to the Registrar in addition to the annual registration fee payable under subsection (2) a sum equal to such fee.

Re-registration

20A. A person registered under this Act who has not, for 3 years or more, paid the prescribed annual registration fee referred to in section 20, and who desires to practise dentistry thereafter, shall apply for re-registration under this

section; and the re-registration shall be treated as a first registration under this Act.

[1985-4]

Temporary registration and special registration

20B.(1) Notwithstanding any other provisions of this Act, the Registrar may

(a) temporarily register as a dental practitioner, dental auxiliary, dental hygienist or dental technician, as the case may be, for a period not exceeding 6 months and on payment to the Registrar of such temporary registration fee as may be determined by the Council, subject to the approval of the Minister, the name of a person who satisfies the Council that he is temporarily in Barbados and would otherwise qualify for registration under section 6 or 12; or

[1990-3]

(b) specially register for a period not exceeding 3 years, the name of any person who meets the requirements of section 6 and who satisfies the Council

(i) that he is doing special work in the field of public health or research and is sponsored in such work by the University of the West Indies, the World Health Organisation, the Pan-American Health Organisation or such other organisation or body as the Council approves, or

(ii) that he is employed on a full-time basis by the Peace Corps of the United States of America to render dental services exclusively and without fee to members of that organisation, or

(iii) that he is employed on a full-time basis in the public service and is working under the supervision of a dental practitioner;

but if the person seeking registration is under a contract of employment, the period of registration shall be the lesser of the 2 periods, the contract period and the period of 3 years.

(2) Where a temporary registration effected under paragraph (a) of subsection 1 has expired, the temporary registration shall not be renewed within 1 year of the expiration of that registration.

(3) Notwithstanding the *Profession, Trade and Business Registration Act*, Cap. 373, a person whose name is registered under paragraph (b) of subsection (1) is not liable to pay any fee specified in that Act during the period for which he is registered.

[1985-4]

Publication of list of dental practitioners dental auxiliaries, dental hygienists, dental technicians and dental licensed persons

21.(1) The Registrar shall cause to be published in the *Official Gazette*

- (a) in the month of February in each year an alphabetical list of persons who at the 31st January in that year have registered their names as required by section 20;
- (b) the name of any person who registers his name as a dental practitioner, dental auxiliary, dental hygienist, dental technician or dental licensed person after the 31st January in any year, as soon as practicable after any such registration.

(2) A copy of the *Official Gazette* containing the list referred to in paragraph (a) of subsection (1) or the name of any person published pursuant to paragraph (b) of that section is *prima facie* evidence in a court of the registration and qualifications of any person mentioned in the list or of that person, and such list is *prima facie* evidence of the non-registration of any person whose name does not appear therein.

[1985-4]

Disciplinary proceedings

22.(1) Any person who is

- (a) convicted of an indictable offence in Barbados;
- (b) convicted of such an offence outside Barbados; or
- (c) alleged to be guilty of professional misconduct,

is subject to disciplinary proceedings.

(2) If in any proceedings under subsection (1) the Council is satisfied that a person who is registered under this Act has been convicted of an offence under paragraph (a) or (b) of that subsection, or that he is guilty of professional misconduct, it may

- (a) censure him;
- (b) suspend his registration for any period not exceeding 1 year; or
- (c) direct the Registrar to remove his name from the register.

[1985-4]

[1985-4]

Suspension from practice pending disciplinary proceedings

23. If in the opinion of the Council it is inexpedient or dangerous or against the public interest or not in the interest of the health of a patient that a person who is registered under this Act should continue to practise dentistry or perform dental services, as the case may be, pending the institution of disciplinary proceedings, the Council may suspend the registration of that person.

[1985-4]

Secretary to notify Registrar of Council's decision to suspend registration or to remove name from register

24. Where the Council under section 22 or 23 suspends the registration of a dental practitioner, dental auxiliary, dental hygienist, dental technician or dental licensed person or under section 22 directs the removal of the name of any such person from the register, the Secretary shall immediately give written notice to the Registrar of that suspension or direction.

[1985-4]

Restoration of name to register and publication in *Official Gazette*

25.(1) The Council may, at any time, direct the Registrar to restore to the register any name that is removed therefrom under section 22(2).

(2) Where the name of a person is removed from the register, the Council may in writing require that person to return to the Registrar his certificate of registration, and that person shall comply with the requirement.

(3) The Registrar shall, as soon as practicable after receiving a notice under section 24 or a direction under subsection (1) of this section, cause a notice thereof to be published in the *Official Gazette*.

Application by dental auxiliary, dental hygienist or dental technician for restoration of name to register

26.(1) A dental auxiliary, dental hygienist, dental technician or dental licensed person whose name has been removed from the register may at the expiration of 1 year from the date of such removal apply to the Council for the restoration of his name to the register.

(2) Where the Council is satisfied that an applicant under subsection (1) has established sufficient grounds to support his application, it may direct the

Registrar to restore his name to the register as a dental auxiliary, dental hygienist, dental technician or dental licensed person.

[1985-4]

[1985-4]

Secretary to notify person affected by a decision of the Council

27. Where the Council

- (a) refuses to approve the registration of a person under this Act as a dental practitioner, dental auxiliary, dental hygienist, dental technician or dental licensed person; or
- (b) suspends the registration or directs the removal of the name of any such person from the register,

the Secretary shall within 7 days from the date of such refusal, suspension or direction give written notice thereof to the person affected.

[1985-4]

Appeals

28.(1) Subject to subsection (4), any person who is aggrieved by the refusal of the Council to register him under this Act or by its decision to censure him or suspend his registration or cause his name to be removed from the register may within 3 months of the receipt by him of any such notice, appeal to a Judge in chambers whose decision shall be final.

(2) The Council may, pending an appeal under subsection (1) of any person aggrieved by its decision to suspend his registration or cause his name to be removed from the register, on the application of that person suspend the operation of any such decision until the determination of the appeal.

- (3) The Judge may
- (a) on hearing an appeal against refusal of registration, dismiss the appeal, or allow the appeal and direct the Council to cause the registration to be effected;
 - (b) on hearing an appeal, other than an appeal against refusal of registration
 - (i) dismiss the appeal and confirm the decision of the Council,
 - (ii) allow the appeal and set aside the decision of the Council,
 - (iii) allow the appeal and direct that the disciplinary proceedings in respect of which the decision of the Council is made be reconducted by the Council, or
 - (iv) set aside the penalty imposed by the Council and impose in substitution therefor such other penalty under section 22 (2) as he thinks fit.
- (4) Notwithstanding subsection (1), no appeal shall be made under this section against refusal of an application for registration where the registration is conditional upon the applicant's satisfying the Council that he is qualified to be registered under this Act.

Rules and regulations

- 29.(1)** Subject to the approval of the Minister, the Council may make rules for any of the following purposes
- (a) the proper conduct of its affairs, including the time, manner and place of meeting and the proceedings thereof;
 - (b) the determination of professional conduct and general fitness to practise dentistry or to perform dental services;
 - (c) the institution of disciplinary proceedings in relation to any charge under section 22, and the manner in which those proceedings are to be conducted;

- (d) the conduct of examinations and related matters, and the fees to be paid for such examinations;
 - (e) prescribing the dental services that may be performed by a dental auxiliary and dental hygienist in addition to those specified in the Act;
 - (f) prescribing the dental services that may be performed by a dental technician;
 - (g) prescribing the dental services that may be performed by a dental licensed person.
[1985-4]
- (2) Without prejudice to subsection (1), the Minister may make regulations generally for carrying out the provisions of this Act and for prescribing anything not mentioned in subsection (1) that is by this Act required to be prescribed.

Recognition of places of training for dental auxiliaries or hygienists

30. The Council may with the approval of the Minister recognise any place, institution or school as a place of training or affiliated place of training for dental auxiliaries, dental hygienists or dental technicians.

Offences

31.(1) A person who, for the purpose of procuring or attempting to procure the registration under this Act of himself or of any other person as a dental practitioner, makes or produces or causes to be made or produced any fraudulent representation or declaration, either verbally, in writing or otherwise, is guilty of an offence and liable on summary conviction to a fine of \$2 000 or to imprisonment for 2 years or both.

- (2) A person not being a dental practitioner who
- (a) assumes or uses any name, title or description implying that he is entitled to be recognised as a person authorised or qualified to practise;
 - (b) advertises or holds himself out as a person authorised or qualified to practise; or

(c) practises,

as a dental practitioner, is guilty of an offence and liable on summary conviction to a fine of \$2 000 or to imprisonment for 12 months or both.

(3) A dental auxiliary, dental hygienist, dental technician or dental licensed person who performs dental services other than those specified by this Act or the rules, is guilty of an offence and liable on summary conviction to a fine of \$1 500 or to imprisonment for 6 months or both.

[1985-4]

(4) A person who, for the purpose of procuring or attempting to procure the registration under this Act of himself or of any other person as a dental auxiliary, dental hygienist, dental technician or dental licensed person, makes or produces or causes to be made or produced any fraudulent representation or declaration, either verbally, in writing or otherwise, is guilty of an offence and liable on summary conviction to a fine of \$1 500 or to imprisonment for 6 months or both.

(5) A person, not being a dental auxiliary, dental hygienist, dental technician or dental licensed person, who

(a) assumes or uses any name, title or description implying that he is entitled to be recognised as a person authorised or qualified to perform dental services;

(b) advertises or holds himself out as a person authorised or qualified to perform dental services;

(c) performs dental services,

as a dental auxiliary, dental hygienist, dental technician or dental licensed person, is guilty of an offence and liable on summary conviction to a fine of \$1 500 or to imprisonment for 6 months or both.

(6) A dental licensed person who performs dental services other than those in respect of which his licence is granted is guilty of an offence and liable on

summary conviction to a fine of \$1 500 or to imprisonment for 6 months or both.

Possession or control of dental appliances or supplies

32.(1) Subject to subsection (3), a person who, for the purpose of practising dentistry or performing dental services, has in his possession or control dental appliances or supplies is guilty of an offence and liable on summary conviction to a fine of \$1 500 or to imprisonment for 6 months or both.

(2) For the purposes of subsection (1), possession or control of dental appliances or supplies by a person is *prima facie* evidence that the possession or control is for the purpose of practising dentistry or performing dental services by that person in contravention of this section.

(3) Subsection (1) does not apply to the possession or control of dental appliances or supplies by

- (a) a person registered under this Act;
- (b) a person dealing in dental appliances or supplies; or
- (c) a person permitted by the Council to have such possession or control.

(4) A magistrate who is satisfied upon an information on oath that there are reasonable grounds for believing that there are in any building or premises dental appliances, supplies or any other devices which will afford evidence as to the commission of an offence under this section, may issue a warrant under his hand authorising any member of the Police Force named in the warrant to enter and search the building or premises and to seize such dental appliances, supplies or devices.

(5) Subsections (2) and (3) of section 70 of the *Magistrates Jurisdiction and Procedure Act*, Cap. 116 shall apply to a search warrant issued under subsection (4) as they apply to a search warrant issued under that section.

Power of inspection

32A. A committee appointed by the Council with the approval of the Minister may, during normal working hours, enter and inspect the premises of a dental practitioner, a dental technician or a dental licensed person to ascertain whether the work carried on on those premises is carried on in contravention of this Act.

[1985-4]

Practice of dentistry by registered medical practitioners

33. Nothing in this Act applies to the practice of dentistry by a person registered under the *Medical Registration Act*, Cap. 371.

Exemption from liability

34. Nothing done by a member of the Council, the Secretary, or any person acting under the authority of either of them shall, if such thing was done *bona fide* for the purposes of this Act or the regulations, subject any such person to any action, liability, claim or demand.

Recovery of unpaid registration fees

35. Registration fees payable by a dental practitioner under this Act or by a dental hygienist, dental technician or dental licensed person under the regulations which remain unpaid for 1 month from the date on which such fees become payable may be recovered as a debt due to the Crown in civil proceedings before a magistrate for District A.

Payment of fees into Consolidated Fund

36. All fees collected by the Registrar or Secretary under this Act shall be paid into the Consolidated Fund.

Expenses

37. Any expenses incurred by the Council in the performance of its functions under this Act and the regulations shall be defrayed out of moneys voted for the purpose by Parliament.

SCHEDULE

(s.3(3))

Constitution of Council

1. Subject to paragraph 3, the Dental Council shall consist of
 - (a) the Chief Medical Officer *ex officio* or his nominee who shall be a dentist holding office in the public service;
 - (b) 1 dental practitioner appointed by the Minister;
 - (c) 3 dental practitioners appointed by the Minister on the nomination of an association of dental practitioners approved by the Minister.
[1985-4]

2. The Council may
 - (a) appoint committees composed of
 - (i) members of the Council,
 - (ii) dental practitioners not being members of the Council, for the proper carrying out of its functions; or
 - (iii) other persons registered under the Act, for the proper carrying out of its functions.
 - (b) delegate to such committees any functions it considers necessary.

- 3.(1) Members of the Council other than any *ex officio* member shall hold office for a term of 2 years, but are eligible for re-appointment.
- (2) Notwithstanding paragraph (1), no member, other than any *ex officio* member, shall hold office for more than 2 consecutive terms, but such member is eligible for re-appointment after the expiration of 1 year thereafter.
- (3) *[Spent.]*

4.(1) The Council shall elect from among its members a chairman and deputy chairman for a term of 1 year and each such person shall be eligible for re-election.

(2) In the absence of the chairman or deputy chairman, the Council shall elect 1 of the members present to be chairman of that meeting.

5. 3 members of the Council shall form a quorum.