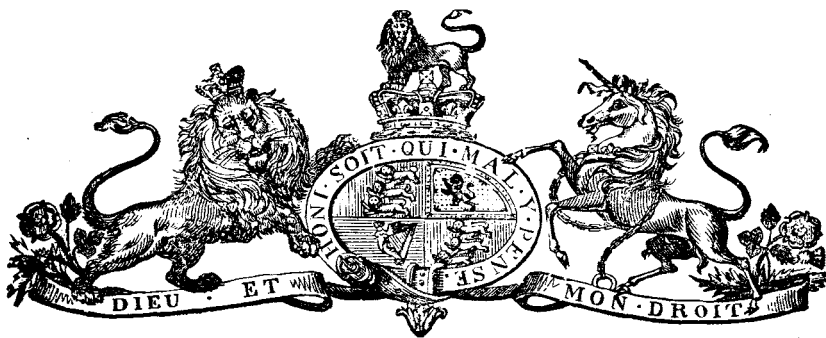


T A S M A N I A.



1903.

ANNO TERTIO

EDWARDI VII. REGIS,

No. 18.

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AN ACT to consolidate and amend the Law A.D. 1903.  
relating to Dentists. [23 *December*, 1903.] —

**B**E it enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

**1** This Act may be cited as “The Dentists Act, 1903.”

Short title.

**2** This Act shall come into operation on the First day of *January*,  
One thousand nine hundred and four. Commencement.

**3** In this Act—

Interpretation.

“Board” shall mean the Board of Examiners in Dental Surgery  
and Dentistry appointed under this Act :

“Dentist” means a person registered under this Act, or any  
Act hereby repealed :

“*Gazette*” shall mean *The Hobart Gazette* :

“Registration” and “registered” respectively mean registration  
and registered under this Act, or any Act hereby repealed :

*Dentists.*

A.D. 1903.

59 Vict. No. 9.

"Registrar" means the Registrar-General appointed under the provisions of "The Registration of Births and Deaths Act, 1895."

Repeal.

**4** The Acts set forth in the Schedule to this Act are hereby repealed to the extent therein mentioned.

Board of Examiners.

**5**—(1.) The Governor shall as soon as may be after the commencement of this Act, upon the written recommendation of the Court of Medical Examiners, appoint a Board of Examiners to be called the Board of Examiners in Dental Surgery and Dentistry, for the purpose of conducting Examinations and granting Certificates and Licences under this Act.

(2.) The Board shall consist of three duly qualified Medical Practitioners and three Dentists.

(3.) The members of the Board shall continue in office for such period, and shall conduct Examinations in such manner, and shall grant Certificates and Licences in such form, as the Governor may from time to time by Regulations direct.

(4.) Any vacancy in the Board caused by the death, resignation, or removal of a member thereof, may be filled by the Governor upon such written recommendation as aforesaid; but the person so appointed shall be qualified as the person in whose stead he is appointed, and shall hold office for such time only as the person in whose stead he is appointed would have held office.

(5.) Upon the appointment of the Board, all existing Boards, appointed under the provisions of any Act hereby repealed, shall be dissolved.

(6.) The Board may cause examinations to be held at such place or places as may from time to time be determined by the Board.

Quorum.

**6**—(1.) Any three members of the Board shall form a quorum.

(2.) During any vacancy in the Board the continuing members may act as if no vacancy existed.

Unregistered  
person not to use  
title of "Dentist."  
&c.

**7**—(1.) From and after the commencement of this Act, no person other than a legally qualified medical practitioner, or other than a person registered under this Act, shall, nor shall any body of persons, corporate or incorporate, other than an association consisting wholly of registered dentists, take or use, or by inference adopt the name, title, addition, or description of Dentist, either alone or in combination with other words, or of Dental Surgeon, Surgeon Dentist, or Dental Practitioner, or use, or have attached to or exhibited at his or its place of business, or residence, either alone or in combination with any other word or words, or letters, the words "Dental Company" or "Dental Institute," or "Dental Hospital," or "Dental College," or "College or School of Dentistry," or "Mechanical Dentist," or any name, title, addition, or description implying that he is registered under this Act, or that he, or such body of persons, is qualified to practice Dentistry and Dental Surgery, or is carrying on the practice of Dentistry, or is entitled to, or to use such name, title, addition, or description.

*Dentists.*

(2.) A person registered under this Act shall be entitled to practise Dentistry or Dental Surgery in any part of *Tasmania*; and from and after the commencement of this Act, no person shall be entitled to take or receive any fee or charge for the performance of any Dental operation, or for any Dental attendance, prescription, or advice, unless he is registered under this Act.

A.D. 1903.

Unregistered persons may not receive fees.

(3.) Any person who, not being registered under this Act, takes or uses any such name, title, addition, or description as aforesaid, or takes or receives any fee or charge for the performance of any Dental operation, attendance, prescription, or advice, shall be liable to a penalty not exceeding Fifty Pounds, to be recovered in a summary way before any two Justices of the Peace in the mode prescribed by *The Magistrates Summary Procedure Act*.

Penalty.

(4.) Nothing in this Section shall apply to any legally qualified Medical Practitioner.

**8** Any person who has attained the age of twenty-one years and who—

- i. Is registered, or is entitled to be registered, in the United Kingdom in accordance with the law for the time being in force therein, as a dentist or medical practitioner; or
- ii. Is entitled, pursuant to the provisions of this Act, to be registered as a Dentist; or
- iii. Has gone through such course of study and professional practice, and training, and passed such examinations before such examiners as may be appointed by the Board, and has obtained from the Board such certificate of fitness or diploma to practise Dental Surgery or Dentistry as the Board by regulations approved by the Governor has prescribed; or

Qualification necessary for registration.

iv. Is registered under the provisions of any Act hereby repealed; shall be entitled to be registered as a Dentist.

**9** Any person who has, prior to the passing of this Act, been articled to or a pupil of a Dental Practitioner entitled to be registered under this Act may, after having been continuously and actually engaged during a period of Three years in the practice of Dentistry, be admitted to a modified professional examination, in accordance with regulations made under this Act and approved by the Governor, and in such case no preliminary literary examination shall be required.

Pupils articled prior to the passing of this Act.

**10** If any person is refused registration the Board shall, if required by him, state in writing the reason for such refusal; and if such reason be that the Certificate held or obtained by him is not such a recognised Certificate as before defined, such person may appeal to the Governor, and the Governor may, after hearing the Board, order the said Board to recognise such Certificate or otherwise and such order shall be duly obeyed.

Board of Examiners shall state reason for refusing registration.

*Dentists.*

A.D. 1903.

Registration in  
Dentists' Register.

**11** When a person entitled to be registered under this Act produces or sends to the Registrar the document conferring or evidencing his qualification, with a statement of his name and address and other particulars, if any, required for registration, and pays the registration fee, he shall be registered in the Dentists' Register, and the Registrar shall cause his name to be published in the *Hobart Gazette*.

Dentists' Register.

**12**—(1.) A Register shall be kept by the Registrar, to be styled the "Dentists' Register," and shall contain in one alphabetical list the names of all persons registered under this Act, together with their qualifications and places of residence.

Existing Register  
continued.

(2.) The Register kept by the Registrar under the provisions of any Act hereby repealed shall be deemed to be the Register to be kept under the provisions of this Act.

Certificate to  
issue.

**13** On application made to him at any time for that purpose by any Dentist, the Registrar shall issue to such applicant a Certificate of Registration.

Public may  
inspect.

**14** The Dentists' Register as aforesaid shall be open to inspection by the public.

Application for  
Registration.

**15**—(1.) The Registrar shall submit all applications for registration under this Act to the Board, who shall consider the qualifications of the applicant, and decide whether or not such person shall be registered.

(2.) The Registrar shall from time to time, upon being directed by the Board so to do, erase the names of any Dentist who shall have died; and shall from time to time insert in the Register any alteration which comes to the knowledge of the Board, in the name, address, or qualification of any person registered under this Act.

Removal of  
names when  
address unknown.

(3.) The Board may from time to time cause a letter to be written by the Registrar to any Dentist, a registered letter addressed to him at his usual or last known address in the State of *Tasmania*, to inquire whether he has changed such address, and stating that if no answer be returned to such letter within a period of Six months from the date of the posting thereof the Board may cause the name of such Dentist to be removed from the Register, and the Board may cause such name to be removed accordingly. Upon the application of such Dentist, and the production of his Certificate or other satisfactory evidence of his former registration, the Board shall cause his name to be re-entered in the Register.

Change of address  
to be notified.

(4.) Every Dentist changing his address shall notify his new address to the Registrar.

Names of persons  
guilty of certain  
offences may be  
erased from  
Dentists' Register.

**16** The Board shall cause to be erased from the Dentists' Register any entry which has been incorrectly or fraudulently made. And any person registered in the Dentists' Register who has, either before or after the passing of this Act, and either before or after he is so registered, been convicted of any felony or misdemeanor, or been guilty of any infamous or disgraceful conduct in a professional respect, the name of

*Dentists.*

such person shall be erased from the Register, and such erasure shall be notified by the Registrar in the *Hobart Gazette*. A.D. 1903.

**17**—(1.) No Dentist shall authorise or permit any unregistered person to perform any dental operation which has been entrusted to, or is in charge of, such Dentist, unless under his supervision. Dentist not to permit unregistered person to perform operations.

(2.) No person who is not registered under this Act shall—

i. Perform any dental operation, except under supervision of a registered Dentist, or supply any dental appliance, for any fee or reward; or Unregistered person not to practice dentistry.

ii. Perform any dental operation or supply any dental appliance, without fee or reward, as a gratuity on effecting the sale of any article or preparation, or as a means of advertising any business or occupation, or as a public exhibition or demonstration.

(3.) Any person offending against any of the provisions of this section shall be liable for every such offence to forfeit and pay a penalty not exceeding Twenty Pounds, or in default of payment to be imprisoned for any term not exceeding Six months. Penalty.

**18** Any person who wilfully procures or attempts to procure himself or any other person to be registered under this Act by making or producing, or causing to be made or produced, any false or fraudulent representation or declaration, either verbally or in writing, shall be deemed guilty of a misdemeanor, and shall on conviction be liable to be imprisoned for any term not exceeding Twelve months. Penalty for fraudulently obtaining registration.

**19** If the Registrar wilfully makes or causes to be made any falsification in any matter relating to any Register under this Act, he shall be liable to be imprisoned for any term not exceeding Twelve months. Penalty for falsification of Register.

**20** A true copy of the Register aforesaid, certified by the Registrar to be a true copy, shall, in the month of *December* in each year be sent to the Chief Secretary, and shall by him be published in the *Hobart Gazette*; and any copy of the Register so published shall be evidence in all civil and criminal proceedings whatsoever. Publication of Register.

**21** Such reasonable fees shall be paid for the Certificates or Licences to be granted under this Act by the Board of Examiners as the Governor may from time to time by Regulations direct. Fees for Examination.

**22** The Registrar shall take and receive the under mentioned fees:— Registration fees, &c.

	£	s.	d.
On application . . . . .	1	0	0
Certificate of Registration . . .	0	5	0
Any alteration of Register . . .	0	5	0
Inspection of Register . . . . .	0	2	6

*Dentists.*

A.D. 1903.

Fees to form part  
of Consolidated  
Revenue Fund.Power to Board  
with consent of  
Governor in  
Council to make  
regulations.

**23** All fees accruing under this Act, except the Examination Fee, shall be paid into the Treasury, and form part of the Consolidated Revenue Fund. The Examination Fees shall be at the disposal of the Board for the purpose of defraying the expenses of conducting the Examinations.

**24**—(1.) The Board of Examiners in Dental Surgery and Dentistry may, with the consent and approval of the Governor in Council, make such regulations as the said Board thinks fit, with respect to—

- I. The course of study, professional practice, and training and examination of persons desiring to obtain certificates of fitness or diplomas entitling them to practise Dental Surgery or Dentistry :
- II. The granting by the Board of certificates of fitness or diplomas to practise Dental Surgery or Dentistry, and the form of such certificates or diplomas :
- III. The keeping of the register :
- IV. The registration in the register :
- V. The payment of fees in respect of examinations held by the Board of Examiners in Dental Surgery and Dentistry appointed by the said Board :
- VI. Prescribing what examinations the Board will recognise as a substitute for examinations by such Board : and
- VII. Generally for carrying this Act into effect.

(2.) All regulations made pursuant to this Act shall be published in the *Gazette*, and when so published shall have the force of law, and shall be judicially noticed, and shall be laid before both Houses of Parliament within Fourteen days after the same shall have been made if Parliament be then sitting, and if not, then within Ten days after the next meeting of Parliament.

**SCHEDULE.****ACTS TO BE REPEALED.**

<i>Date and Number of Act.</i>	<i>Title of Act.</i>	<i>Extent of Repeal.</i>
48 Vict. No. 31	"The Dentists Act, 1884."	The whole Act.
54 Vict. No. 28	"The Dentists Amendment Act, 1890."	The whole Act.