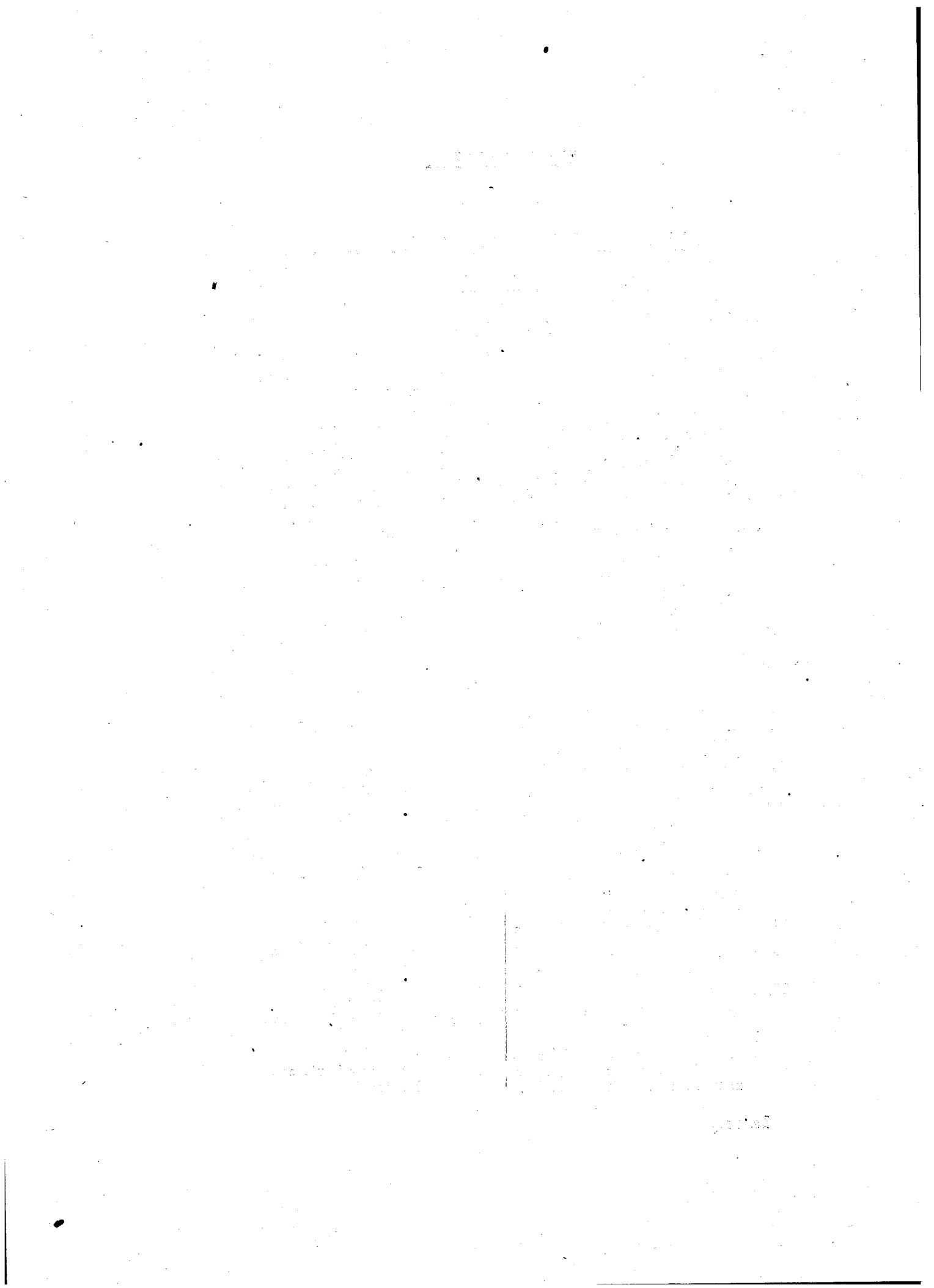


TASMANIA.

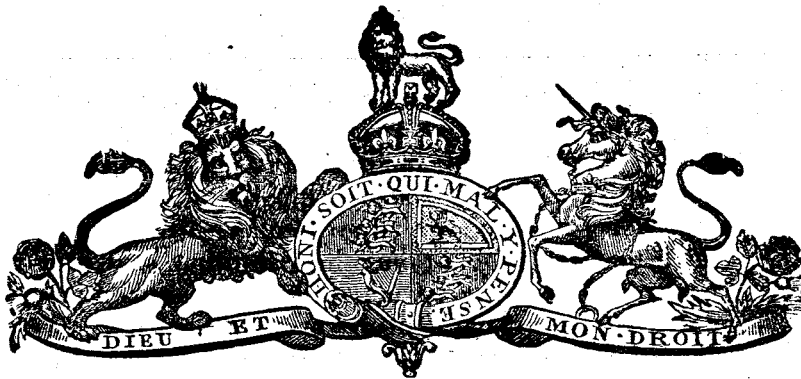
THE DENTISTS ACT, 1919.

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TASMANIA



1919.

ANNO DECIMO

GEORGII. V. REGIS.

No. 46.

AN ACT to consolidate and amend the Law ^{A.D.} 1919.
relating to Dentists, and for other purposes.
[24 December, 1919.]

BE 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, 1919.”

Short title.

2 This Act shall come into operation on a day to be specified for the purpose by proclamation.

Commencement.

3 In this Act, unless inconsistent with the context—

Interpretation.

“Board” means the Dental Board of Tasmania as constituted by this Act :

“Branch I. of Dentistry” means any operation upon the natural teeth and their associate parts of a human subject :

“Certified dentist” means a dentist who is the holder of a certificate to practise in force issued under Section Twenty-three of this Act, entitling him to practise :

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“Dentist” means a person registered or deemed to be registered under this Act :

“Dentistry” means and includes any operation upon the natural teeth and their associate parts of a human subject, or the construction or adjustment or fitting of artificial teeth for such subject ; but this definition shall not apply to the mechanical construction by an artisan employed by a dentist of artificial dentures or other devices :

“Registration,” and “registered,” respectively, means registration and registered under this Act :

“Registrar” means the person who for the time being holds the office of Registrar by appointment under this Act, and includes an acting registrar.

Repeal.

4 “The Dentists Act, 1903,” is hereby repealed.

Constitution of Board.

5—(1) On the passing of this Act a Board, to be called the “Dental Board of Tasmania” (in this Act called “the Board”), shall be constituted for the purpose of carrying this Act into effect; and such Board shall consist of Six persons, one of whom shall be Chairman of the Board.

First Board to be appointed by the Governor.

(2) The members of the first Board shall, as soon as is practicable after the commencement of this Act, be appointed by the Governor, and shall consist of Six persons chosen by the Governor from among the dentists.

(3) The Governor shall appoint one of such persons to be Chairman of the Board.

(4) Such appointments shall be for a period of One year, or until their successors are elected.

Filling vacancy in First Board.

6 If any vacancy occurs in the Board during the period for which the members of the First Board shall have been appointed, the Governor may appoint some dentist to fill such vacancy ; and the person so appointed shall hold office for the unexpired period of office of the person in whose place he was appointed, and no longer.

Constitution of subsequent Boards.

7—(1) On the expiration of the period for which the members of the first Board shall have been appointed, another Board shall be constituted in the manner following :—

- I. Six certified dentists shall be elected members by certified dentists :
- II. The persons so elected shall elect one of their number to be Chairman of the Board :
- III. Subject to the provisions of this Act, the persons so elected shall hold office for Three years or until their successors are elected :
- IV. If any member of the Board—
 - (a) Dies ; or
 - (b) Resigns ; or
 - (c) Ceases to reside in the State ; or

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- (d) Becomes bankrupt or insolvent; or files his petition for liquidation of his affairs by arrangement with his creditors; or
- (e) Becomes insane; or
- (f) Absents himself from Three consecutive meetings of the Board, and the Board within One month of the date of the Third of such meetings requires him to vacate his seat; or
- (g) Is removed from the Board by the Governor; or
- (h) Being an elected member, ceases to be registered under this Act, or is suspended from practising dentistry,

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his seat shall become vacant.

(2) Two members of the Board shall retire annually, but shall be eligible for re-election. The members shall go out of office in the following order, that is to say:—The Two members who had the smallest number of votes at the First election shall be the First Two to go out of office; the Two members who had the next smallest number of votes at the First election shall be the next Two to go out of office; and in the Third year the Two members who have been longest in office without re-election shall retire, and afterwards the members to go out of office shall always be the Two who have been longest in office without re-election. In case at the First election of members any Two or more members are elected by an equality of votes, or the election is had without a poll it shall be determined by lot within One week and published in the "Gazette" within One month after the election in what rotation as between themselves such members having an equality of votes shall retire, or in what rotation the whole body of members shall retire as aforesaid, as the case may be; and in any such case the members shall retire according to the rotation so determined.

Two members retire annually by rotation.

In case of equality of votes at election without poll, rotation to be determined by lot.

(3) All elections under this section, and all vacancies in the seats of elected members occurring in the Board, shall be conducted and filled respectively in accordance with the regulations made under this Act.

8 The Governor may remove any member of any Board (including the First Board) for neglect of duty, incompetency, dishonourable conduct, or other cause deemed sufficient by the Governor.

Removal of members from Board.

9 The rules set forth in the Schedule (1) to this Act shall apply to the business, conduct, and proceedings of the Board, and shall be observed, but may be revoked or altered wholly or in part by regulations.

Rules for conduct of the Board. Schedule (1).

10—(1) The Board, with the approval of the Governor, may from time to time make regulations—

Regulations.

- i. Regulating the meetings and proceedings of the Board and the conduct of the business thereof;
- ii. Regulating the manner in which the members to be elected are to be elected to the Board under Section Seven;
- iii. Regulating the manner of keeping and controlling the register;

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- iv. Regulating the granting and issue of certificates and the conditions of admission to the register :
 - v. Prescribing what certificates of examinations will be recognised by the Board as a substitute for the examinations of the Board :
 - vi. Prescribing what certificates, diplomas, membership, degrees, licences, letters, testimonial, or other titles, status, or documents will be recognised by the Board as qualifying persons holding them or any of them to be registered under this Act, whether immediately or after further examination or training or both :
 - vii. Regulating, supervising, and restricting within due limits the practice of persons registered under this Act :
 - viii. Deciding the conditions under which names may be removed from the register by the Board :
 - ix. Prescribing and regulating the course of study, professional practice, and training for persons desirous to practise dentistry :
 - x. Prescribing and regulating the method, subjects, times, and scope of examinations and the remuneration of examiners :
 - xi. Prescribing a scale of fees to be charged and paid in respect of any application, examination, registration, certificate, inspection, or any other proceeding, act, or thing provided or required under this Act, in cases not provided for by this Act :
 - xii. Prescribing forms to be used for any of the purposes of this Act :
 - xiii. Generally providing for anything which by this Act is expressed to be prescribed, or which the Governor considers necessary, in order to carry out the purposes of this Act.
- (2) A regulation may impose a penalty for any breach thereof, and may also impose different penalties in case of successive breaches; but no such penalty shall exceed Ten Pounds.
- (3) Any such regulation may be rescinded at any time by the Governor by notification in the "Gazette."

Board may
appoint Registrar
and examiners

11 The Board—

- i. May from time to time appoint a Registrar (who must be a dentist, and shall also act as secretary to the Board), and such examiners as it thinks necessary for giving effect to this Act: and
- ii. May out of the funds at its disposal pay to the Registrar such salary as it thinks fit, and to such examiners such fees as may be prescribed.

All such persons shall hold office during the pleasure of the Board. No member of the Board shall receive payment for his services in the capacity of such member.

Nothing in this Act shall be construed to prevent the Board from—

- i. Appointing One or more of its members to be an examiner or examiners: or
- ii. Paying any member so appointed for his services as examiner.

*Dentists.***12** The Board from time to time—

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- i. May temporarily suspend any person from practice in any case where such suspension appears to the Board to be necessary :
- ii. May decide upon the removal from the register of the name of any person for disobeying the regulations from time to time laid down under this Act by the Board or for other misconduct, and the cancelling of the annual certificate of any person whose name is so removed, and may also decide upon the restoration to the register of the name of any person so removed :
- iii. Shall as necessity arises hold examinations for the convenience of persons desiring to qualify for registration under this Act, and shall fix the places where, and the times when, examinations shall be held :
- iv. May issue and cancel certificates—

Powers and duties of Board.

and generally may do any other act or duty which may be necessary or expedient for the due and proper carrying out of the provisions of this Act.

13—(1) From and after the commencement of this Act, no person other than a legally qualified medical practitioner, or other than a certified dentist, shall, nor shall any body of persons, corporate or incorporate, other than an association consisting wholly of certified 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, or is carrying on the practice of dentistry, or is entitled to, or to use such name, title, addition, or description.

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

(2) A certified dentist shall be entitled to practise dentistry 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 a certified dentist.

Unregistered persons may not receive fees.

(3) No person who is not a certified dentist shall take or use any such name, title, addition, or description as aforesaid, or take or receive any fee or charge for the performance of any dental operation or for any dental attendance, prescription, or advice.

Penalty.

Penalty : Fifty Pounds.

(4) Nothing in this section shall apply to any legally qualified medical practitioner.

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Qualification
necessary for
registration.

14—(1) 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. 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 dentistry as the Board by regulations approved by the Governor has prescribed; or
 - iii. Has prescribed qualifications—
- shall be entitled to be registered as a dentist.

(2) Every person who at the commencement of this Act is registered as a dentist under "The Dentists Act, 1903," shall be deemed to be—

- i. Registered as a dentist under this Act, and the Registrar shall, without payment of any fee therefor, register his name in the "Register of Dentists": and
- ii. The holder of a certificate under this Act entitling him to practice dentistry subject to the provisions of this Act until the Thirty-first day of December of the year in which the proclamation bringing this Act into operation, is gazetted.

Certain persons
holding
certificates, &c.,
granted by
university, &c.,
in any State of
Commonwealth
may be
registered.

15 Any person who holds a certificate, diploma, licence, or other document granted by any university or college or dental board in any of the States of the Commonwealth of Australia entitling such person to practise dentistry in any of such States under the provisions of any Act in force in such State relating to dentists, and who for a period of at least Two years prior to the Thirtieth day of September, One thousand nine hundred and nineteen, has practised Branch I. of dentistry in Tasmania, shall, upon payment of the registration fees, be entitled, without examination, to be registered as a dentist.

Rights of dental
assistants with
One year's
experience prior
to date of Act
to continue work
for a year and be
examined.

16—(1) Any person (not being a dentist) who for a period of not less than One year immediately prior to the commencement of this Act has continuously practised Branch I. of dentistry as an assistant to a dentist residing and practising in Tasmania—

(2) Any person (not being a dentist) who for a period of Three years, or for periods amounting to Three years in the aggregate, and within Seven years prior to the Thirtieth day of September, One thousand nine hundred and nineteen, has practised Branch I. of dentistry in any dental surgery or elsewhere in Tasmania where a dentist registered under "The Dentists Act, 1903," has been employed and has acted therein during such period of Three years, or periods aggregating Three years as surgical and general dentist.

(3) Any person (not being a dentist) who for a period of Four years, or for periods amounting to Four years in the aggregate, prior to the commencement of this Act has practised dentistry in Tasmania, and has received personal instruction therein from a dentist residing

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and practising in Tasmania, and who produces to the Board a certificate from such dentist certifying that such person is a *bond fide* and capable dental student—

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- i. May for One year after the commencement of this Act practise Branch I. of dentistry either as an assistant to any ~~such~~ dentist as aforesaid, or in any dental surgery or elsewhere in Tasmania where a dentist registered under "The Dentists Act, 1903," is employed, and is acting therein as surgical and general dentist as aforesaid : and
- ii. Shall be entitled to be examined, after the expiration of or within such year, at such time and in such manner as may be prescribed and determined by the Board, in practical and ~~theoretical~~ dentistry, provided that the examination in ~~theoretical dentistry shall be of a modified nature~~ ; and if he passes such examination he shall be entitled to be registered as a dentist.

17 Any man having enlisted in Tasmania being or having been—

- i. On naval or military service outside Tasmania with His Majesty's navy or army or under the provisions of any Act of the Parliament of the Commonwealth of Australia during the war in which His Majesty was recently engaged : or
- ii. On service outside Tasmania in any work of any Red Cross Society or Ambulance Association or any other body with similar objects in connection with the said war : and

Rights of returned soldiers with One year's experience before enlistment.

who, previous to enlistment in Tasmania (not being a dentist), had for a period of One year immediately prior to his enlistment practised Branch I. of dentistry to the satisfaction of the Board as an assistant to a dentist residing and practising in Tasmania—

- (a) May for Two years from the day on which he returns to Tasmania continue to practise Branch I. of dentistry as an assistant to any such dentist ; and
- (b) Shall be entitled to be examined after the expiration of or within such period of Two years at such times and in such manner as may be prescribed and determined by the Board in practical and theoretical dentistry, provided that the examination in theoretical dentistry shall be of a modified nature. If he passes such examination he shall be entitled to be registered as a dentist ; and
- (c) May, if he satisfies the Board that he has, whilst on active service, had Two years' experience in Branch I., and is a fit, proper, and capable person, be registered by the Board as a dentist without having served as an assistant to a dentist in Tasmania and without examination within One year after the commencement of this Act.

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Provisions applicable where person applies under Section 16 or 17.

18 The following provisions shall apply to the case of any person applying to be registered in pursuance of Section Sixteen or Section Seventeen of this Act:—

- i. He must have attained the age of Twenty-one years before his registration :
- ii. He must, within Three months—

(a) After the commencement of this Act in the case of an applicant under Section Sixteen of this Act :

(b) After his return to Tasmania in the case of an applicant under Section Seventeen of this Act—

give to the Registrar a written statement of his name, address, and age, and also make application in writing to the Registrar, requesting the Board to approve such applicant as an applicant under Section Sixteen or Section Seventeen, as the case may be. The Registrar shall refer such application to the Board, which shall cause its decision on such application to be forwarded to the applicant as soon as practicable. The Registrar shall keep a register, in which he shall enter the name, address, and age of every applicant, under Section Sixteen or Section Seventeen of this Act, and shall record therein the decision of the Board in each case. Any applicant may, pursuant to Section Twenty-eight of this Act, appeal against the decision of the Board :

- iii. Every person entitled to be examined, pursuant to Section Sixteen or Section Seventeen of this Act, shall present himself for examination within One year after he becomes entitled to be examined. Should he fail to pass such examination he may again present himself for examination within One year and a half from the time he became entitled to be examined. Should he fail to pass such second examination he shall not be entitled to be registered under Section Sixteen or Section Seventeen (as the case may be) of this Act :

- iv. Such person shall present himself for examination at such time and place as are appointed by the examiners and notified to such person :

- v. During the period that any assistant or other person referred to in Section Sixteen or Section Seventeen of this Act is entitled to continue to practise Branch I. of dentistry :

(a) The employer of such assistant shall not, under a penalty of Twenty Pounds for each offence, to be recoverable summarily, permit or suffer such assistant to act as manager of any branch-practice or to practise Branch I. of dentistry at any place of business of such employer or elsewhere, unless a certified dentist is actually and *bonâ fide* in charge of the premises where such practice is conducted ; and

Dentists.

(b) Such assistant or other person referred to in Section Sixteen or Section Seventeen of this Act shall not act as such manager or practise dentistry contrary to the preceding paragraph hereof, under penalty of forfeiture of his rights under Section Sixteen or Section Seventeen (as the case may be) of this Act :

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vi. Such person shall, on applying to be registered as a dentist, send to the Registrar an application and declaration in the prescribed form, signed and declared to by him.

19 On and after the death of any dentist, whether registered under this Act or under any former Act relating to dentists in Tasmania, it shall be lawful for the personal representatives of such dentist to assign to any other dentist or dentists the practice so carried on by the deceased dentist and the goodwill thereof, or to make such agreements from time to time with a dentist or dentists for the carrying on of the said practice until such time as the said personal representatives assign to a purchaser or otherwise absolutely dispose of the said practice and the goodwill thereof. The provisions of this section shall apply retrospectively to the case of all dentists who died prior to the passing of this Act, and it shall be lawful for the personal representatives of any such dentist, provided he has not assigned to a purchaser or otherwise absolutely disposed of the said practice and the goodwill thereof, to assign the same or enter into agreements with respect thereof as fully and effectually as if the dentist so dying had died after the passing of this Act.

Personal representatives of deceased dentist may assign, &c., his practice.

Retrospective operation.

Provided that any such dentist so carrying on the practice of a deceased dentist under an agreement with the personal representatives of such deceased dentist, and any purchaser of such practice and the goodwill thereof from such personal representatives, shall not in any advertisement, sign, or announcement to the public, or to the clients or patients of the deceased dentist, use the name of such deceased dentist without making clear in such advertisement, sign, or announcement the fact of his death.

Purchasers or assignees of deceased dentist's practice using his name to make clear fact of his death.

20—(1) Subject to Sections Sixteen, Seventeen and Eighteen of this Act, no person who is not a certified dentist shall, with or without fee or reward, practise dentistry or perform any dental operation or supply any artificial dentures or other devices connected with dentistry.

Person (other than certified dentist) not to practise dentistry, &c.

Penalty: Twenty Pounds.

Penalty.

(2) This section shall not apply to any legally qualified medical practitioner.

(3) This section shall not prevent, nor be deemed to prohibit the mechanical construction by an artisan employed by a dentist, of artificial dentures or other devices.

Saving.

Dentists.

- A.D. 1919.** **21**—(1) A register shall be kept as accurately as possible by the Registrar, in accordance with regulations to be laid down from time to time by the Board, to be styled the "Register of Dentists," which shall contain a list of the names of all persons registered or deemed to be registered under this Act, in alphabetical order according to the surnames, and shall state the full names and addresses of registered persons, and subject to the provisions of this Act shall contain such particulars and be in such form as the Board may from time to time direct.
- Provisions of register. (2) The register shall be deemed to be in proper custody when in the custody of the Registrar, and shall be of such a public nature as to be admissible as evidence—in any proceedings whatsoever—of all matters therein on its mere production from that custody.
- Custody of register. (3) No person shall have his name removed from the register without having been previously given an opportunity of being personally heard by the Board.
- Persons to be heard by Board before removal of name.
- 22** The Board shall from time to time cause to be erased from the register—
- Names of deceased persons to be erased from register, &c. i. The names of persons who have died :
ii. Any entry in the register which is proved to the satisfaction of the Board to have been fraudulently or incorrectly made.
- 23**—(1) The Board shall upon registration, and thereafter annually upon payment therefor of the prescribed fees, issue to every person entitled to practise dentistry, and applying for the same, a certificate in the form in Schedule (2) to this Act.
- Board to issue certificates. (2) Such certificates shall be in force until and inclusive of the Thirty-first day of December next after the issue thereof.
- Schedule (2). (3) Any certificate if it purports to be signed by the Chairman and Registrar, shall be evidence of the matters stated therein, without proof of the signatures or of the official character of the persons appearing to have signed the same.
- Evidence.
- 24** Every person who for a period exceeding Two years ceases to hold an annual certificate in force under the immediately preceding section of this Act, and afterwards applies for such certificate, shall not be entitled to receive one unless he first satisfies the Board as to the circumstances under which he omitted or ceased to take out his certificate, or to practise, and as to his conduct and employment in the meantime.
- Omission to take out annual certificate for more than Two years.
- 25**—(1) The Registrar shall in the month of January in each year cause to be published in the "Gazette" a list of persons who have taken out certificates under Section Twenty-three for the then current year.
- List of certified dentists to be gazetted annually. (2) A copy of the "Gazette" purporting to contain any such list, or a document purporting to be signed by the Registrar, and to be a copy of any such list, shall be *prima facie* evidence that the persons named in such copy of the "Gazette" or in such document are registered under this Act for the year therein referred to, and the absence
- Copy of "Gazette" or document signed by Registrar *prima facie* evidence.

Dentists.

of the name of any person from such copy or document, as the case may be, shall be *prima facie* evidence that he is not registered under this Act. A.D. 1919.

26 No person shall—

- | | |
|--|--|
| <ul style="list-style-type: none"> i. Procure or attempt to procure registration, or a certificate of registration, or any other certificate, under this Act by making or producing, or causing to be made or produced, any false and fraudulent declaration, certificate, or representation, either in writing or otherwise: ii. Wilfully make or cause to be made any falsification in any manner relating to the register: or iii. Forge, alter, or counterfeit any certificate: iv. Utter or use any forged, altered, or counterfeited certificate, knowing the same to have been forged, altered, or counterfeited: or v. Falsely advertise or publish himself as having obtained registration or a certificate under this Act: or vi. Falsely personate a certified dentist of a like or different name, nor buy, sell, or fraudulently obtain a certificate under this Act issued to another. | <p>Penalty for—</p> <p>Obtaining registration by false pretences.</p> <p>Falsification of register.</p> <p>Forging.</p> <p>Uttering.</p> <p>Falsely advertising, &c.</p> <p>Falsely personating, &c.</p> |
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Penalty: One hundred Pounds or Twelve months' imprisonment.

27—(1) The Board may by summons require the attendance of any person as a witness, and may examine any person upon oath or affirmation, or take a solemn declaration from any person for the purposes of this Act. Power to Board to administer oath and examine witness.

(2) Every summons issued by the Board requiring the attendance of any person or the production of any documents shall have the same effect as a subpoena issued by the Supreme Court in a civil action; and the obedience thereto or non-observance thereof may be enforced and punished by a judge of the said court sitting in chambers in the same manner as in the case of the disobedience or non-observance of a subpoena issued by the said court.

(3) Whosoever wilfully—

- | | |
|--|-----------------|
| <ul style="list-style-type: none"> i. Makes any false statement upon such examination or in such declaration; or ii. Utters or attempts to utter or put off as true before the Board any false, forged, or counterfeit certificate, diploma, licence, letter, testimonial, or other title, document, or writing— | <p>Penalty.</p> |
|--|-----------------|

shall be guilty of an offence against this section.

Penalty: One hundred Pounds or Twelve months' imprisonment.

28—(1) Any person who thinks himself aggrieved by any decision, ruling, order, or direction of the Board or Registrar may appeal by summons to a judge of the Supreme Court. Right of appeal within Two months of notification of decision, and after Ten days' notice with grounds.

No such appeal shall be entertained unless it is made within Two months next after the notification to him of the decision, ruling, order, or direction, nor unless Ten days' notice in writing of such appeal, stating the nature and grounds thereof, is given to the party whose decision, ruling, order, or direction is appealed against.

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Order thereon.

(2) The judge may make such order as he thinks just (including any order as to costs), and such order shall be final and without appeal, and shall be observed by the Board or Registrar and by every person concerned.

Judges to make rules.

(3) The judges of the Supreme Court may from time to time make, alter, suspend, and rescind rules or orders to regulate the practice and procedure, and until such rules or orders are made and, so far as any such rules or orders when made do not apply, the provisions of "The Appeals Regulation Act," as to appeals from justices, shall with the necessary alterations apply to appeals under this Act.

19 Vict. No. 10.

Registration fee.

29—(1) There shall be payable to the Board in respect of the registration of any person who applies to be registered under this Act a registration fee of One Pound One Shilling.

Alteration and inspection fees.

(2) There shall be payable to the Board in respect of any alteration of the register the sum of Five shillings, and for every inspection thereof the sum of Two Shillings and Sixpence.

Annual fee.

(3) There shall be payable to the Board by every person registered under this Act on or before the First day of January in each year following the year in which he is registered a fee of One Pound One Shilling, and in default of payment he shall be liable to have his name removed from the register.

Application of money.

30—(1) Any sum or sums of money arising from convictions and recovery of penalties as aforesaid shall be paid to the Board.

(2) All moneys received by the Board arising from fees to be paid on registration, alteration of register, or inspection of same, and from annual payments by persons on the register, from the sale of copies of the register, from penalties, or otherwise, shall be applied in accordance with such regulations as may be made from time to time by the Board in defraying the expenses of registration and other expenses of the execution of this Act, including the travelling allowances or expenses prescribed to be paid to members of the Board in respect of going to and returning from Board meetings, and attendance for the purposes thereof.

Accounts to be kept.

31 The Board shall enter or cause to be entered in books to be kept for that purpose a true account of all sums of money by it received and paid under this Act; and such accounts shall be certified as correct by an experienced accountant, and a statement of such accounts shall be annually laid before the Chief Secretary.

Recovery of fees and penalties.

32—(1) All fees under this Act may be recovered as ordinary debts due to the Board.

Procedure.
19 Vict. No. 8.

Proof on defendant.

(2) All informations for offences against the provisions of this Act, and all penalties, fines, and forfeitures imposed by or under the provisions of this Act, may be heard, determined, recovered, and enforced in a summary way by and before a police magistrate, in the mode prescribed by "The Magistrates Summary Procedure Act," the provisions of which Act shall apply.

Dentists.

(3) A prosecution under this Act may be instituted by the Board, with the written consent of the Attorney-General, in the name of—

I. The Registrar; or

II. Any person thereunto authorised in writing under the hand of the Chairman—

but shall not be instituted by a private person without both the consent in writing of the Attorney-General and of the Board :

III. Any allegation, averment, or statement contained in an information shall be deemed proved in the absence of proof by the defendant to the contrary.

(4) The Board may bring and defend all actions or institute any civil proceedings in the name of—

I. The Registrar; or

II. Any person thereunto authorised in writing under the hand of the Chairman.

33—(1) The production of a copy of the "Gazette" purporting to contain any notification relating to any appointment, register, registration, erasure, suspension, reinstatement, regulations, or any other matter under or for the purposes of this Act shall be received in all courts and in all proceedings whatsoever as *prima facie* evidence of the facts therein published. Copy of "Gazette" evidence.

(2) Every court shall take judicial notice of the signatures of the Chairman and of the Registrar of the Board.

(3) In any prosecution or any proceeding by or on behalf of the Board, it shall not be necessary to prove the appointment of the members, Chairman, or Registrar. Judicial notice.

Dentists.

A.D. 1919.

SCHEDULES.

(1)

Section 9, Executive officer. Authentication of documents.	RULES FOR THE CONDUCT OF THE BUSINESS OF THE BOARD. 1. The Chairman shall be the executive officer of the Board. 2. Every appointment and every order, notice, certificate, or other document of the Board relating to the execution of this Act shall, except where otherwise provided by this Act, be sufficiently authenticated if signed by the Chairman or Registrar or any Two members of the Board.
Meetings. Quorum. Chairman.	3. No business shall be transacted at any meeting of the Board unless at least Three of the members are present when such business is transacted. 4. The Chairman shall preside at all meetings at which he is present. In the absence of the Chairman, the members present shall elect from their number a chairman for the day. The Chairman, or in his absence the chairman for the day, shall have a vote, and, when there is an equal division of votes upon any question, it shall pass in the negative.
Voting.	5. All powers vested in the Board may be exercised by the majority of the members present at any meeting duly held, and all questions shall be decided by a majority and by open voting. At all meetings, save as herein otherwise provided, all members present shall vote.
Adjournment.	If a member refuses to vote, his vote shall be counted for the negative. 6. The members present at a meeting may, from time to time, adjourn the meeting. If a quorum is not present within half an hour after the time appointed for a meeting, the members present, or any one member if only one is present, or the Registrar if no member is present, may adjourn such meeting to any time not later than Seven days from the date of such adjournment. Provided that nothing herein contained shall be construed to prevent the adjournment of any meeting to a later hour of the same day on which such meeting was appointed to be held.
Notices.	7. All notices of any meeting shall be in writing, and shall be delivered personally or sent by post or otherwise to the address of each of the members at least Seven days previous to the meeting.
Proceeding validated.	8. If any member refuses or neglects to act or to attend any duly convened meeting of the Board, all lawful acts or proceedings of the Board shall be as valid and effectual as if they had been done or authorised by the full Board.
Vacancies.	9. No proceedings of the Board shall be invalidated by reason of any defect in any appointment or election, or by reason of there being any vacancy in the number of members at the time of such proceedings, provided that the number of members is not reduced below Three.

(2)

Section 23.

"THE DENTISTS ACT, 1919."

We do hereby certify that
 residing at _____ is registered
 under "The Dentists Act, 1919," as a certified dentist, and is entitled to practise
 dentistry until and inclusive of the Thirty-first day of December next.
 Dated at Hobart, this _____ day of _____ 19

A.B., Chairman } of the Dental Board of
 C.D., Registrar } Tasmania.