

## DENTISTS BILL.

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### *SCHEDULE of Amendments referred to in Message of 10th October, 1900.*

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- Page 3, clause 11, lines 25 and 26. *Omit* "and has satisfied the Board that he is possessed of adequate  
" knowledge in dentistry "
- Page 3, clause 11. *Omit* subsection (d) *insert* new subsection (d)
- Page 4, clause 13, lines 15 and 16. *Omit* " eight hundred and ninety-seven " *insert* " **nine hundred and  
" one "**
- Page 4, clause 13, line 17. *Before* " medical " *insert* " **duly qualified** "
- Page 4, clause 13, line 22. *Omit* " eight hundred and ninety-seven " *insert* " **nine hundred and one** "
- Page 4, clause 13, line 23. *Before* " medical " *insert* " **duly qualified** "
- Page 5, clause 19, line 24. *Omit* " Third "
- Page 5, First Schedule. *Omit* the First Schedule.
- Page 6, Second Schedule. *Omit* the Second Schedule.
- Page 6, Third Schedule, line 14. *Omit* " Third "
- Page 6, Third Schedule, line 15. *Omit* " 1897 " *insert* " **1901** "

DEPARTMENT OF THE INTERIOR

SCHEDULE of Amendments referred to in Message of 10th October, 1900.

- Page 3, clause 11, lines 25 and 26. Omit "and has received the Board that he is possessed of adequate knowledge in dentistry"
- Page 3, clause 11. Omit subsection (2) insert new subsection (2)
- Page 4, clause 13, lines 15 and 16. Omit "eight hundred and ninety-seven" insert "nine hundred and one"
- Page 4, clause 13, line 17. Before "medical" insert "fully qualified"
- Page 4, clause 13, line 22. Omit "eight hundred and ninety-seven" insert "nine hundred and one"
- Page 4, clause 13, line 23. Before "medical" insert "fully qualified"
- Page 5, clause 19, line 24. Omit "Third"
- Page 5, First Schedule. Omit the First Schedule.
- Page 6, Second Schedule. Omit the Second Schedule.
- Page 6, Third Schedule, line 14. Omit "Third"
- Page 6, Third Schedule, line 15. Omit "1897" insert "1901"



*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly Chamber,  
Sydney, 22 August, 1900.* }

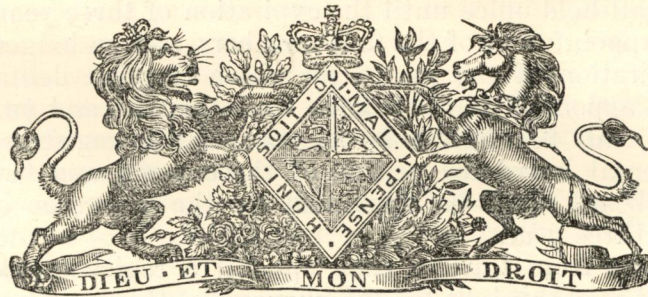
F. W. WEBB,  
*Clerk of the Legislative Assembly.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.*

*Legislative Council Chamber,  
Sydney, 10th October, 1900.* }

JOHN J. CALVERT,  
*Clerk of the Parliaments.*

## New South Wales.



ANNO SEXAGESIMO QUARTO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

Act No. , 1900.

An Act to provide for the Registration of Dentists qualified to practise in New South Wales.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

- 5     1. This Act may be cited as the "Dentists Act." Short title.
- 2. In the construction of this Act, unless the context otherwise Interpretation. indicates, the following terms shall have the respective meanings hereby assigned to them, that is to say:—
- 10    (1) "Dental board" or "board"—The dental board appointed under the provisions of this Act.
- (2) "Dentist"—A person registered as a dentist under this Act.
- (3) "Prescribed"—Prescribed by this Act or by any regulation made thereunder.

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.



*Dentists.*

3. As soon as may be after the commencement of this Act the Governor-in-Council shall appoint two duly qualified medical practitioners and four dentists, qualified for registration hereunder, and two persons not being either medical practitioners or dentists, to be members of the dental board of New South Wales, and shall also appoint one of such members to be president thereof. All such appointments shall be for a period of three years.

Constitution of dental board.

4. If any vacancy occur in the office of member of the dental board during the period for which the first members of the said board are appointed, the Governor-in-Council may fill such vacancy, and the person so appointed shall hold office until the expiration of three years from the date of the appointment of the first members, and no longer.

Filling vacancy in first board.

5. On the expiration of the period for which the first dental board shall have been appointed to hold office four dentists and two medical practitioners shall be eligible for election by the registered members under the dental board for periods of three years, and two lay members of the board shall be appointed by the Governor in Council for periods of three years.

Subsequent boards to be elected.

6. The board may from time to time appoint a registrar and such other officers as it may think fit for the purposes of this Act.

Officers.

7. The registrar shall enter in a register, in the prescribed manner and on payment of the prescribed fee, the full names and addresses, date, and description of qualifications for which registration is granted, and all other prescribed particulars of all dentists, and shall transmit in the month of January in each year a certified copy of such register to the Colonial Secretary, who shall cause the same thereupon to be published in the Government Gazette; a copy of such Gazette shall be primâ facie evidence, in all legal proceedings, that the persons mentioned therein are registered according to the provisions of this Act, and the omission of any name therefrom shall be primâ facie evidence that such person is not so registered.

Register.

8. The board shall cause to be removed from the register the names of deceased dentists.

Removal of names of deceased dentists.

9. The board may refuse to register as a dentist or may remove from the register any person who—

Refusal to place names on and removal from register.

(a) has been convicted of any felony or misdemeanour, or of any offence which, if committed within this Colony, would be a felony or misdemeanour; or

(b) has been guilty of infamous conduct in any professional respect:

40 Provided that in the case of a charge of infamous conduct as aforesaid the board shall make due inquiry, sitting as an open court, and the person charged shall be afforded an opportunity of defence, either in person or by counsel, and shall have the right of appeal to the Supreme Court, and such appeal shall be in the nature of a rehearing:

Provided



*Dentists.*

Provided further that any such person shall not be refused registration nor have his name removed from the register on account of a conviction for an offence which, though within the provisions of this section, does not, either from the trivial nature of the offence or from the circumstances under which it was committed, disqualify a person for practising dentistry, nor until he has been called on to explain any objection raised against him.

10 **10.** Where the board directs the removal from the register of the name of any person, the name of that person shall not be again entered on the register, except by direction of the board, or by order of a court of competent jurisdiction. The board may, if it thinks fit in any case, direct the registrar to restore to the register any name removed therefrom without fee, or on payment of such fee, not exceeding the registration fee, as the board may from time to time direct, and the registrar shall restore the same accordingly.

Restoration of name removed.

**11.** Any person who—

- (a) holds some recognised certificate as hereinafter defined, and who proves to the satisfaction of the board that he is of good character;
- 20 (b) has for a period of two years before the commencement of this Act been bonâ fide engaged in New South Wales in the practice of dentistry, either separately or in conjunction with the practice of medicine, surgery, or pharmacy, and who has made application for registration to the board within one year from the commencement of this Act; and has satisfied the board that he is possessed of adequate knowledge in dentistry; or
- 25 (c) has attained the age of twenty-one years and has been engaged during a period of not less than four years in the acquirement of professional knowledge in dentistry, and has passed an examination before the board according to the prescribed regulations; or
- 30 (d) ~~has attained the age of twenty-one years, and shall have been a pupil or apprentice of a registered dentist for a period of two years, and shall have been such pupil or apprentice for a period of six months before the commencement of this Act; or~~
- 35 (d) has attained the age of twenty-one years, and shall have been a pupil or apprentice for a period of not less than two years to a dental practitioner entitled to be registered under this Act: Provided that such pupilage or apprenticeship shall have been commenced at least six months before the commencement of this Act, and shall have expired before he shall be entitled to be so registered; or
- 40 (e) has obtained a diploma or degree in dentistry from a university in Australia;
- 45 shall be entitled to be registered as a dentist under this Act. .12.

Qualification necessary for registration.



*Dentists.*

12. Any person who has practised dentistry for not less than twelve months elsewhere than in New South Wales, and who holds some recognised certificate as hereinafter defined, and who proves to the satisfaction of the board that he is of good character, shall be  
5 entitled upon the payment of the prescribed registration fees and without examination, to be registered as a dentist under this Act.

Registration of dentists with recognised certificate.

The term "recognised certificate" means a certificate, diploma, membership, degree, license, letters, testimonial, or other title, status, or document granted by some university, college, or other public  
10 institution in a British possession or foreign country, and which is recognised by the board as entitling the holder thereof to practise dentistry in such possession or country, and as furnishing sufficient guarantee of the possession of the requisite knowledge and skill for the efficient practice of dentistry.

Recognised certificates of dentists.

13. From and after the first day of January, one thousand eight  
15 hundred and ~~ninety-seven~~ nine hundred and one, no person other than a **duly qualified** medical practitioner shall be entitled to take or use the name or title of "dentist," or of "dental practitioner" or of "dental surgeon," or any name, initials, title, addition, or description  
20 implying that he is registered under this Act, unless he is registered hereunder. And any person who after the first day of January, one thousand eight hundred and ~~ninety-seven~~ nine hundred and one, not being a **duly qualified** medical practitioner or a dentist so registered, takes or uses any such name, initials, title, addition, or description as aforesaid  
25 shall be liable on conviction to a penalty not exceeding twenty pounds.

Unregistered persons not to assume name dentists, &c.

14. A copy of the register kept in pursuance of this Act, signed  
30 by the president of the dental board, shall, in any proceedings under this Act, be prima facie evidence that the persons whose names are therein contained and no others were, up to and including the time when the said copy of the register was so signed, legally qualified dentists.

Copy of register to be evidence.

15. The board may, with the approval of the Governor, make,  
35 alter, and repeal regulations for carrying this Act into full effect, for the nomination and election of members of the board (after the first nominated board), and for regulating the proceedings of the board, fixing quorums, the removal of members of the board, regulating the duties of its officers, prescribing what certificates, diplomas, membership, degrees, licenses, letters, testimonials, or other titles, status, or documents will be recognised by the board under section twelve, and  
40 for holding examinations and prescribing the subjects and fees therefor. All such regulations shall, upon being published in the Government Gazette, be good and valid in law, provided that a copy of all such regulations be laid before both Houses of Parliament within fourteen days from publication thereof, if Parliament be then in session, or  
45 otherwise within fourteen days after the commencement of the next ensuing session.

Regulations.

16.



*Dentists.*

16. Any registrar or other person who wilfully makes or causes to be made any false entry in or falsification of the register, and 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, and any person aiding or assisting therein, shall be guilty of a misdemeanour, and shall on conviction be liable to be imprisoned, with or without hard labour, for any term not exceeding twelve months.

Penalties for falsification of register or other frauds on the Act.

17. The board may examine any person upon oath, or take a solemn declaration from any person for the purposes of this Act; and if any person wilfully makes any false statement upon such examination or in such declaration, or utters or attempts to utter or put off as true before the board any false, forged, or counterfeit certificate, diploma, license, letter, testimonial, or other document or writing, he shall be guilty of a misdemeanour, and shall on conviction be liable to be imprisoned for any period not exceeding twelve months.

Power to examine witnesses.

18. All informations for offences against this Act shall be laid by the registrar, or some other person appointed by the board for that purpose, and all penalties when recovered shall be paid to the dental board for the purposes of this Act. All such penalties may be recovered before any stipendiary or police magistrate or two justices of the peace sitting in petty sessions.

Offences and penalties.

19. The fees mentioned in the Third Schedule to this Act shall be payable by persons applying to be registered, or obtaining certificates of registration under this Act, or inspecting the register respectively, to the registrar, and shall be applied by the board in defraying the expenses and carrying out the provisions of this Act.

Fees.

SCHEDULES.

FIRST SCHEDULE.

Declaration to be made by any person claiming to be registered on the ground that he was bonâ fide engaged in the practice of dentistry in New South Wales before the commencement of the Dentists Act.

I, \_\_\_\_\_, residing at \_\_\_\_\_, hereby declare that I was bonâ fide engaged in the practice of dental surgery or dentistry at \_\_\_\_\_ for a period of six months before the commencement of the Dentists Act.

(Signed)

Witness—

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 .



*Dentists.*

SECOND SCHEDULE.

*Declaration to be made by a person claiming to be registered on the ground that he commences his pupilage or apprenticeship six months before the commencement of the Dentists Act.*

5 I, \_\_\_\_\_, residing at \_\_\_\_\_, hereby declare that I was, on the  
 day of \_\_\_\_\_, 19\_\_\_\_, bonâ fide articed to (or engaged as a pupil to)  
 a person registered under the said Act, and that I served as a pupil (or  
 apprentice) to such person for not less than two years, and that I have attained the age  
 of twenty-one years, and have complied in all necessary respects with the terms and  
 10 conditions required by the Dentists Act.

(Signed)

Witness—

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

THIRD SCHEDULE.

					£	s.	d.
15	On application until 1st January, 1897	1901	...	...	2	2	0
	On application after that date	...	...	...	5	5	0
	Certificate of registration	...	...	...	0	5	0
	Inspection of register...	...	...	...	0	5	0
	Alteration of register...	...	...	...	0	5	0



*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly Chamber,  
Sydney, 22 August, 1900.* }

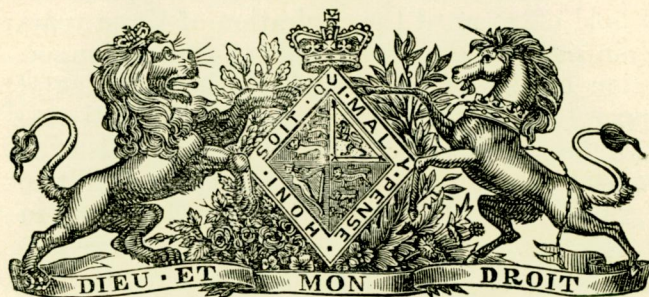
F. W. WEBB,  
*Clerk of the Legislative Assembly.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.*

*Legislative Council Chamber,  
Sydney, October, 1900.* }

*Clerk of the Parliaments.*

## New South Wales.



ANNO SEXAGESIMO QUARTO

## VICTORIÆ REGINÆ.

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Act No. , 1900.

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            2. In the construction of this Act, unless the context otherwise indicates, the following terms shall have the respective meanings hereby assigned to them, that is to say:—
- 10           (1) "Dental board" or "board"—The dental board appointed under the provisions of this Act.  
            (2) "Dentist"—A person registered as a dentist under this Act.  
            (3) "Prescribed"—Prescribed by this Act or by any regulation made thereunder.

Short title.  
Interpretation.

93—A

3.

NOTE.—The words to be omitted are *ruled through*; those to be inserted are printed in **black letter**.



*Dentists.*

3. As soon as may be after the commencement of this Act the Governor-in-Council shall appoint two duly qualified medical practitioners and four dentists, qualified for registration hereunder, and two persons not being either medical practitioners or dentists, to be members of the dental board of New South Wales, and shall also appoint one of such members to be president thereof. All such appointments shall be for a period of three years.

Constitution of  
dental board.

4. If any vacancy occur in the office of member of the dental board during the period for which the first members of the said board are appointed, the Governor-in-Council may fill such vacancy, and the person so appointed shall hold office until the expiration of three years from the date of the appointment of the first members, and no longer.

Filling vacancy in  
first board.

5. On the expiration of the period for which the first dental board shall have been appointed to hold office four dentists and two medical practitioners shall be eligible for election by the registered members under the dental board for periods of three years, and two lay members of the board shall be appointed by the Governor in Council for periods of three years.

Subsequent boards to  
be elected.

6. The board may from time to time appoint a registrar and such other officers as it may think fit for the purposes of this Act.

Officers.

7. The registrar shall enter in a register, in the prescribed manner and on payment of the prescribed fee, the full names and addresses, date, and description of qualifications for which registration is granted, and all other prescribed particulars of all dentists, and shall transmit in the month of January in each year a certified copy of such register to the Colonial Secretary, who shall cause the same thereupon to be published in the Government Gazette; a copy of such Gazette shall be primâ facie evidence, in all legal proceedings, that the persons mentioned therein are registered according to the provisions of this Act, and the omission of any name therefrom shall be primâ facie evidence that such person is not so registered.

Register.

8. The board shall cause to be removed from the register the names of deceased dentists.

Removal of names of  
deceased dentists.

9. The board may refuse to register as a dentist or may remove from the register any person who—

(a) has been convicted of any felony or misdemeanour, or of any offence which, if committed within this Colony, would be a felony or misdemeanour; or

(b) has been guilty of infamous conduct in any professional respect:

Refusal to place  
names on and  
removal from  
register.

Provided that in the case of a charge of infamous conduct as aforesaid the board shall make due inquiry, sitting as an open court, and the person charged shall be afforded an opportunity of defence, either in person or by counsel, and shall have the right of appeal to the Supreme Court, and such appeal shall be in the nature of a rehearing:

Provided



*Dentists.*

Provided further that any such person shall not be refused registration nor have his name removed from the register on account of a conviction for an offence which, though within the provisions of this section, does not, either from the trivial nature of the offence or  
5 from the circumstances under which it was committed, disqualify a person for practising dentistry, nor until he has been called on to explain any objection raised against him.

10 **10.** Where the board directs the removal from the register of the name of any person, the name of that person shall not be again  
entered on the register, except by direction of the board, or by order of a court of competent jurisdiction. The board may, if it thinks fit in any case, direct the registrar to restore to the register any name removed therefrom without fee, or on payment of such fee,  
15 not exceeding the registration fee, as the board may from time to time direct, and the registrar shall restore the same accordingly.

- 11.** Any person who—
- (a) holds some recognised certificate as hereinafter defined, and who proves to the satisfaction of the board that he is of good  
20 character; Qualification necessary for registration.
- (b) has for a period of two years before the commencement of this Act been bonâ fide engaged in New South Wales in the practice of dentistry, either separately or in conjunction with the practice of medicine, surgery, or pharmacy, and who has made application for registration to the board within one year  
25 from the commencement of this Act; and ~~has satisfied the board that he is possessed of adequate knowledge in dentistry;~~  
or
- (c) has attained the age of twenty-one years and has been engaged during a period of not less than four years in the acquirement of professional knowledge in dentistry, and has passed an examination before the board according to the prescribed regulations; or  
30
- (d) ~~has attained the age of twenty-one years, and shall have been a pupil or apprentice of a registered dentist for a period of two years, and shall have been such pupil or apprentice for a period of six months before the commencement of this Act; or~~  
35
- (d) has attained the age of twenty-one years, and shall have been a pupil or apprentice for a period of not less than two years to a dental practitioner entitled to be registered under this Act: Provided that such pupilage or apprenticeship shall have been commenced at least six months before the commencement of this Act, and shall have expired before he shall be entitled to be so registered; or  
40
- (e) has obtained a diploma or degree in dentistry from a university  
45 in Australia;
- shall be entitled to be registered as a dentist under this Act. **12.**



*Dentists.*

12. Any person who has practised dentistry for not less than twelve months elsewhere than in New South Wales, and who holds some recognised certificate as hereinafter defined, and who proves to the satisfaction of the board that he is of good character, shall be  
5 entitled upon the payment of the prescribed registration fees and without examination, to be registered as a dentist under this Act.

Registration of dentists with recognised certificate.

The term "recognised certificate" means a certificate, diploma, membership, degree, license, letters, testimonial, or other title, status, or document granted by some university, college, or other public  
10 institution in a British possession or foreign country, and which is recognised by the board as entitling the holder thereof to practise dentistry in such possession or country, and as furnishing sufficient guarantee of the possession of the requisite knowledge and skill for the efficient practice of dentistry.

Recognised certificates of dentists.

13. From and after the first day of January, one thousand eight  
15 hundred and ninety-seven ~~nine hundred and one~~, no person other than a **duly qualified** medical practitioner shall be entitled to take or use the name or title of "dentist," or of "dental practitioner" or of "dental surgeon," or any name, initials, title, addition, or description  
20 implying that he is registered under this Act, unless he is registered hereunder. And any person who after the first day of January, one thousand eight hundred and ninety-seven ~~nine hundred and one~~, not being a **duly qualified** medical practitioner or a dentist so registered, takes or uses any such name, initials, title, addition, or description as aforesaid  
25 shall be liable on conviction to a penalty not exceeding twenty pounds.

Unregistered persons not to assume name dentists, &c.

14. A copy of the register kept in pursuance of this Act, signed  
30 by the president of the dental board, shall, in any proceedings under this Act, be prima facie evidence that the persons whose names are therein contained and no others were, up to and including the time when the said copy of the register was so signed, legally qualified dentists.

Copy of register to be evidence.

15. The board may, with the approval of the Governor, make,  
alter, and repeal regulations for carrying this Act into full effect, for  
35 the nomination and election of members of the board (after the first nominated board), and for regulating the proceedings of the board, fixing quorums, the removal of members of the board, regulating the duties of its officers, prescribing what certificates, diplomas, membership, degrees, licenses, letters, testimonials, or other titles, status, or documents will be recognised by the board under section twelve, and  
40 for holding examinations and prescribing the subjects and fees therefor. All such regulations shall, upon being published in the Government Gazette, be good and valid in law, provided that a copy of all such regulations be laid before both Houses of Parliament within fourteen days from publication thereof, if Parliament be then in session, or  
45 otherwise within fourteen days after the commencement of the next ensuing session.

Regulations.



*Dentists.*

16. Any registrar or other person who wilfully makes or causes to be made any false entry in or falsification of the register, and 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, and any person aiding or assisting therein, shall be guilty of a misdemeanour, and shall on conviction be liable to be imprisoned, with or without hard labour, for any term not exceeding twelve months.

Penalties for falsification of register or other frauds on the Act.

17. The board may examine any person upon oath, or take a solemn declaration from any person for the purposes of this Act; and if any person wilfully makes any false statement upon such examination or in such declaration, or utters or attempts to utter or put off as true before the board any false, forged, or counterfeit certificate, diploma, license, letter, testimonial, or other document or writing, he shall be guilty of a misdemeanour, and shall on conviction be liable to be imprisoned for any period not exceeding twelve months.

Power to examine witnesses.

18. All informations for offences against this Act shall be laid by the registrar, or some other person appointed by the board for that purpose, and all penalties when recovered shall be paid to the dental board for the purposes of this Act. All such penalties may be recovered before any stipendiary or police magistrate or two justices of the peace sitting in petty sessions.

Offences and penalties.

19. The fees mentioned in the Third Schedule to this Act shall be payable by persons applying to be registered, or obtaining certificates of registration under this Act, or inspecting the register respectively, to the registrar, and shall be applied by the board in defraying the expenses and carrying out the provisions of this Act.

Fees.

SCHEDULES.

FIRST SCHEDULE.

30 Declaration to be made by any person claiming to be registered on the ground that he was bonâ fide engaged in the practice of dentistry in New South Wales before the commencement of the Dentists Act.

35 I, \_\_\_\_\_, residing at \_\_\_\_\_, hereby declare that I was bonâ fide engaged in the practice of dental surgery or dentistry at \_\_\_\_\_ for a period of six months before the commencement of the Dentists Act.

(Signed)

Witness—

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.



*Dentists.*

SECOND SCHEDULE.

*Declaration to be made by a person claiming to be registered on the ground that he commences his pupilage or apprenticeship six months before the commencement of the Dentists Act.*

5 I, \_\_\_\_\_, residing at \_\_\_\_\_, hereby declare that I was, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, bonâ fide articled to (or engaged as a pupil to) a person registered under the said Act, and that I served as a pupil (or apprentice) to such person for not less than two years, and that I have attained the age of twenty-one years, and have complied in all necessary respects with the terms and conditions required by the Dentists Act.

(Signed)

Witness—

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

THIRD SCHEDULE.

				£	s.	d.
15	On application until 1st January, 1897	1901	...	...	2	2 0
	On application after that date	...	...	...	5	5 0
	Certificate of registration	...	...	...	0	5 0
	Inspection of register...	...	...	...	0	5 0
	Alteration of register...	...	...	...	0	5 0

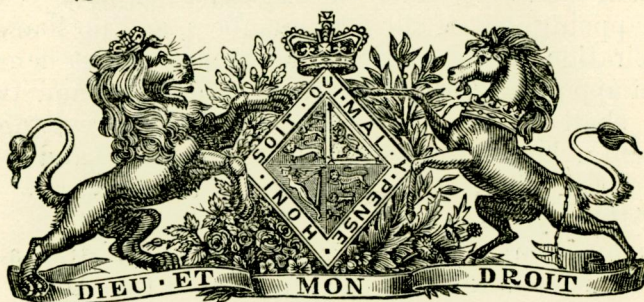


*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly Chamber,  
Sydney, 22 August, 1900.* }

F. W. WEBB,  
*Clerk of the Legislative Assembly.*

## New South Wales.



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# VICTORIÆ REGINÆ.

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5 1. This Act may be cited as the "Dentists Act."

Short title.

2. In the construction of this Act, unless the context otherwise indicates, the following terms shall have the respective meanings hereby assigned to them, that is to say:—

Interpretation.

10 (1) "Dental board" or "board"—The dental board appointed under the provisions of this Act.

(2) "Dentist"—A person registered as a dentist under this Act.

(3) "Prescribed"—Prescribed by this Act or by any regulation made thereunder.



*Dentists.*

3. As soon as may be after the commencement of this Act the Governor-in-Council shall appoint two duly qualified medical practitioners and four dentists, qualified for registration hereunder, and two persons not being either medical practitioners or dentists, to be members of the dental board of New South Wales, and shall also appoint one of such members to be president thereof. All such appointments shall be for a period of three years.

Constitution of dental board.

4. If any vacancy occur in the office of member of the dental board during the period for which the first members of the said board are appointed, the Governor-in-Council may fill such vacancy, and the person so appointed shall hold office until the expiration of three years from the date of the appointment of the first members, and no longer.

Filling vacancy in first board.

5. On the expiration of the period for which the first dental board shall have been appointed to hold office four dentists and two medical practitioners shall be eligible for election by the registered members under the dental board for periods of three years, and two lay members of the board shall be appointed by the Governor in Council for periods of three years.

Subsequent boards to be elected.

6. The board may from time to time appoint a registrar and such other officers as it may think fit for the purposes of this Act.

Officers.

7. The registrar shall enter in a register, in the prescribed manner and on payment of the prescribed fee, the full names and addresses, date, and description of qualifications for which registration is granted, and all other prescribed particulars of all dentists, and shall transmit in the month of January in each year a certified copy of such register to the Colonial Secretary, who shall cause the same thereupon to be published in the Government Gazette; a copy of such Gazette shall be primâ facie evidence, in all legal proceedings, that the persons mentioned therein are registered according to the provisions of this Act, and the omission of any name therefrom shall be primâ facie evidence that such person is not so registered.

Register.

8. The board shall cause to be removed from the register the names of deceased dentists.

Removal of names of deceased dentists.

9. The board may refuse to register as a dentist or may remove from the register any person who—

Refusal to place names on and removal from register.

(a) has been convicted of any felony or misdemeanour, or of any offence which, if committed within this Colony, would be a felony or misdemeanour; or

(b) has been guilty of infamous conduct in any professional respect:

Provided that in the case of a charge of infamous conduct as aforesaid the board shall make due inquiry, sitting as an open court, and the person charged shall be afforded an opportunity of defence, either in person or by counsel, and shall have the right of appeal to the Supreme Court, and such appeal shall be in the nature of a rehearing:

Provided



*Dentists.*

Provided further that any such person shall not be refused registration nor have his name removed from the register on account of a conviction for an offence which, though within the provisions of this section, does not, either from the trivial nature of the offence or  
5 from the circumstances under which it was committed, disqualify a person for practising dentistry, nor until he has been called on to explain any objection raised against him.

10 **10.** Where the board directs the removal from the register of the name of any person, the name of that person shall not be again entered on the register, except by direction of the board, or by order of a court of competent jurisdiction. The board may, if it thinks fit in any case, direct the registrar to restore to the register any name removed therefrom without fee, or on payment of such fee, not exceeding the registration fee, as the board may from time to time  
15 direct, and the registrar shall restore the same accordingly.

**11.** Any person who—

- (a) holds some recognised certificate as hereinafter defined, and who proves to the satisfaction of the board that he is of good character;
- 20 (b) has for a period of two years before the commencement of this Act been bonâ fide engaged in New South Wales in the practise of dentistry, either separately or in conjunction with the practise of medicine, surgery, or pharmacy, and who has made application for registration to the board within one year  
25 from the commencement of this Act, and has satisfied the board that he is possessed of adequate knowledge in dentistry; or
- (c) has attained the age of twenty-one years and has been engaged during a period of not less than four years in the acquirement of professional knowledge in dentistry, and has passed an examination before the board according to the prescribed regulations; or
- 30 (d) has attained the age of twenty-one years, and shall have been a pupil or apprentice of a registered dentist for a period of two years, and shall have been such pupil or apprentice for a  
35 period of six months before the commencement of this Act; or
- (e) has obtained a diploma or degree in dentistry from a university in Australia;

40 shall be entitled to be registered as a dentist under this Act.

**12.** Any person who has practised dentistry for not less than twelve months elsewhere than in New South Wales, and who holds some recognised certificate as hereinafter defined, and who proves to  
the

Restoration of name removed.

Qualification necessary for registration.

Registration of dentists with recognised certificate.



*Dentists.*

the satisfaction of the board that he is of good character, shall be entitled upon the payment of the prescribed registration fees and without examination, to be registered as a dentist under this Act.

The term "recognised certificate" means a certificate, diploma, membership, degree, license, letters, testimonial, or other title, status, or document granted by some university, college, or other public institution in a British possession or foreign country, and which is recognised by the board as entitling the holder thereof to practise dentistry in such possession or country, and as furnishing sufficient guarantee of the possession of the requisite knowledge and skill for the efficient practise of dentistry.

Recognised  
certificates of  
dentists.

13. From and after the first day of January, one thousand eight hundred and ninety-seven, no person other than a medical practitioner shall be entitled to take or use the name or title of "dentist," or of "dental practitioner" or of "dental surgeon," or any name, initials, title, addition, or description implying that he is registered under this Act, unless he is registered hereunder. And any person who after the first day of January, one thousand eight hundred and ninety-seven, not being a medical practitioner or a dentist so registered, takes or uses any such name, initials, title, addition, or description as aforesaid shall be liable on conviction to a penalty not exceeding twenty pounds.

Unregistered  
persons not to  
assume name  
dentists, &c.

14. A copy of the register kept in pursuance of this Act, signed by the president of the dental board, shall, in any proceedings under this Act, be prima facie evidence that the persons whose names are therein contained and no others were, up to and including the time when the said copy of the register was so signed, legally qualified dentists.

Copy of register to  
be evidence.

15. The board may, with the approval of the Governor, make, alter, and repeal regulations for carrying this Act into full effect, for the nomination and election of members of the board (after the first nominated board), and for regulating the proceedings of the board, fixing quorums, the removal of members of the board, regulating the duties of its officers, prescribing what certificates, diplomas, membership, degrees, licenses, letters, testimonials, or other titles, status, or documents will be recognised by the board under section twelve, and for holding examinations and prescribing the subjects and fees therefor. All such regulations shall, upon being published in the Government Gazette, be good and valid in law, provided that a copy of all such regulations be laid before both Houses of Parliament within fourteen days from publication thereof, if Parliament be then in session, or otherwise within fourteen days after the commencement of the next ensuing session.

Regulations.

16. Any registrar or other person who wilfully makes or causes to be made any false entry in or falsification of the register, and any person who wilfully procures or attempts to procure himself or any other

Penalties for  
falsification of  
register or other  
frauds on the Act.



*Dentists.*

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, and any person aiding or assisting therein, shall be guilty of a misdemeanour, and shall on conviction be liable to be imprisoned, with or without hard labour, for any term not exceeding twelve months.

17. The board may examine any person upon oath, or take a solemn declaration from any person for the purposes of this Act; and if any person wilfully makes any false statement upon such examination or in such declaration, or utters or attempts to utter or put off as true before the board any false, forged, or counterfeit certificate, diploma, license, letter, testimonial, or other document or writing, he shall be guilty of a misdemeanour, and shall on conviction be liable to be imprisoned for any period not exceeding twelve months.

18. All informations for offences against this Act shall be laid by the registrar, or some other person appointed by the board for that purpose, and all penalties when recovered shall be paid to the dental board for the purposes of this Act. All such penalties may be recovered before any stipendiary or police magistrate or two justices of the peace sitting in petty sessions.

19. The fees mentioned in the Third Schedule to this Act shall be payable by persons applying to be registered, or obtaining certificates of registration under this Act, or inspecting the register respectively, to the registrar, and shall be applied by the board in defraying the expenses and carrying out the provisions of this Act.

## SCHEDULES.

## FIRST SCHEDULE.

30 *Declaration to be made by any person claiming to be registered on the ground that he was bonâ fide engaged in the practise of dentistry in New South Wales before the commencement of the Dentists Act.*

I, \_\_\_\_\_, residing at \_\_\_\_\_, hereby declare that I was bonâ fide engaged in the practise of dental surgery or dentistry at \_\_\_\_\_ for a period of six months before the commencement of the Dentists Act.

(Signed)

35 Witness—

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 .



*Dentists.*

## SECOND SCHEDULE.

*Declaration to be made by a person claiming to be registered on the ground that he commences his pupilage or apprenticeship six months before the commencement of the Dentists Act.*

5 I, \_\_\_\_\_, residing at \_\_\_\_\_, hereby declare that I was, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, bonâ fide articed to (or engaged as a pupil to) a person registered under the said Act, and that I served as a pupil (or apprentice) to such person for not less than two years, and that I have attained the age of twenty-one years, and have complied in all necessary respects with the terms and 10 conditions required by the Dentists Act.

(Signed)

Witness—

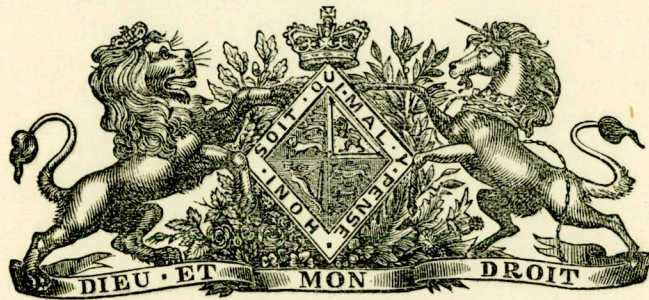
Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

## THIRD SCHEDULE.

			£	s.	d.
15	On application until 1st January, 1897	... ..	2	2	0
	On application after that date	... ..	5	5	0
	Certificate of registration	... ..	0	5	0
	Inspection of register...	... ..	0	5	0
	Alteration of register...	... ..	0	5	0



New South Wales.



ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

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Act No. 45, 1900.

An Act to provide for the Registration of Dentists qualified to practise in New South Wales. [Assented to, 5th November, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Dentists Act."

Short title.

2. In the construction of this Act, unless the context otherwise indicates, the following terms shall have the respective meanings hereby assigned to them, that is to say:—

Interpretation.

- (1) "Dental board" or "board"—The dental board appointed under the provisions of this Act.
- (2) "Dentist"—A person registered as a dentist under this Act.
- (3) "Prescribed"—Prescribed by this Act or by any regulation made thereunder.



*Dentists.*

Constitution of  
dental board.

3. As soon as may be after the commencement of this Act the Governor-in-Council shall appoint two duly qualified medical practitioners and four dentists, qualified for registration hereunder, and two persons not being either medical practitioners or dentists, to be members of the dental board of New South Wales, and shall also appoint one of such members to be president thereof. All such appointments shall be for a period of three years.

Filling vacancy in  
first board.

4. If any vacancy occur in the office of member of the dental board during the period for which the first members of the said board are appointed, the Governor-in-Council may fill such vacancy, and the person so appointed shall hold office until the expiration of three years from the date of the appointment of the first members, and no longer.

Subsequent boards to  
be elected.

5. On the expiration of the period for which the first dental board shall have been appointed to hold office four dentists and two medical practitioners shall be eligible for election by the registered members under the dental board for periods of three years, and two lay members of the board shall be appointed by the Governor in Council for periods of three years.

Officers.

6. The board may from time to time appoint a registrar and such other officers as it may think fit for the purposes of this Act.

Register.

7. The registrar shall enter in a register, in the prescribed manner and on payment of the prescribed fee, the full names and addresses, date, and description of qualifications for which registration is granted, and all other prescribed particulars of all dentists, and shall transmit in the month of January in each year a certified copy of such register to the Colonial Secretary, who shall cause the same thereupon to be published in the Government Gazette; a copy of such Gazette shall be *primâ facie* evidence, in all legal proceedings, that the persons mentioned therein are registered according to the provisions of this Act, and the omission of any name therefrom shall be *primâ facie* evidence that such person is not so registered.

Removal of names of  
deceased dentists.

8. The board shall cause to be removed from the register the names of deceased dentists.

Refusal to place  
names on and  
removal from  
register.

9. The board may refuse to register as a dentist or may remove from the register any person who—

- (a) has been convicted of any felony or misdemeanour, or of any offence which, if committed within this Colony, would be a felony or misdemeanour; or
- (b) has been guilty of infamous conduct in any professional respect:

Provided that in the case of a charge of infamous conduct as aforesaid the board shall make due inquiry, sitting as an open court, and the person charged shall be afforded an opportunity of defence, either in person or by counsel, and shall have the right of appeal to the Supreme Court, and such appeal shall be in the nature of a rehearing:

Provided



*Dentists.*

Provided further that any such person shall not be refused registration nor have his name removed from the register on account of a conviction for an offence which, though within the provisions of this section, does not, either from the trivial nature of the offence or from the circumstances under which it was committed, disqualify a person for practising dentistry, nor until he has been called on to explain any objection raised against him.

10. Where the board directs the removal from the register of the name of any person, the name of that person shall not be again entered on the register, except by direction of the board, or by order of a court of competent jurisdiction. The board may, if it thinks fit in any case, direct the registrar to restore to the register any name removed therefrom without fee, or on payment of such fee, not exceeding the registration fee, as the board may from time to time direct, and the registrar shall restore the same accordingly.

11. Any person who—

- (a) holds some recognised certificate as hereinafter defined, and who proves to the satisfaction of the board that he is of good character; Restoration of name removed.
- (b) has for a period of two years before the commencement of this Act been bonâ fide engaged in New South Wales in the practice of dentistry, either separately or in conjunction with the practice of medicine, surgery, or pharmacy, and who has made application for registration to the board within one year from the commencement of this Act; or
- (c) has attained the age of twenty-one years and has been engaged during a period of not less than four years in the acquirement of professional knowledge in dentistry, and has passed an examination before the board according to the prescribed regulations; or
- (d) has attained the age of twenty-one years, and shall have been a pupil or apprentice for a period of not less than two years to a dental practitioner entitled to be registered under this Act: Provided that such pupilage or apprenticeship shall have been commenced at least six months before the commencement of this Act, and shall have expired before he shall be entitled to be so registered; or
- (e) has obtained a diploma or degree in dentistry from a university in Australia;

shall be entitled to be registered as a dentist under this Act.

12. Any person who has practised dentistry for not less than twelve months elsewhere than in New South Wales, and who holds some recognised certificate as hereinafter defined, and who proves to the satisfaction of the board that he is of good character, shall be entitled upon the payment of the prescribed registration fees and without examination, to be registered as a dentist under this Act. Registration of dentists with recognised certificate.

The



*Dentists.*

Recognised  
certificates of  
dentists.

The term "recognised certificate" means a certificate, diploma, membership, degree, license, letters, testimonial, or other title, status; or document granted by some university, college, or other public institution in a British possession or foreign country, and which is recognised by the board as entitling the holder thereof to practise dentistry in such possession or country, and as furnishing sufficient guarantee of the possession of the requisite knowledge and skill for the efficient practice of dentistry.

Unregistered  
persons not to  
assume name  
dentists, &c.

13. From and after the first day of January, one thousand nine hundred and one, no person other than a duly qualified medical practitioner shall be entitled to take or use the name or title of "dentist," or of "dental practitioner" or of "dental surgeon," or any name, initials, title, addition, or description implying that he is registered under this Act, unless he is registered hereunder. And any person who after the first day of January, one thousand nine hundred and one, not being a duly qualified medical practitioner or a dentist so registered, takes or uses any such name, initials, title, addition, or description as aforesaid shall be liable on conviction to a penalty not exceeding twenty pounds.

Copy of register to  
be evidence.

14. A copy of the register kept in pursuance of this Act, signed by the president of the dental board, shall, in any proceedings under this Act, be prima facie evidence that the persons whose names are therein contained and no others were, up to and including the time when the said copy of the register was so signed, legally qualified dentists.

Regulations.

15. The board may, with the approval of the Governor, make, alter, and repeal regulations for carrying this Act into full effect, for the nomination and election of members of the board (after the first nominated board), and for regulating the proceedings of the board, fixing quorums, the removal of members of the board, regulating the duties of its officers, prescribing what certificates, diplomas, membership, degrees, licenses, letters, testimonials, or other titles, status, or documents will be recognised by the board under section twelve, and for holding examinations and prescribing the subjects and fees therefor. All such regulations shall, upon being published in the Government Gazette, be good and valid in law, provided that a copy of all such regulations be laid before both Houses of Parliament within fourteen days from publication thereof, if Parliament be then in session, or otherwise within fourteen days after the commencement of the next ensuing session.

Penalties for  
falsification of  
register or other  
frauds on the Act.

16. Any registrar or other person who wilfully makes or causes to be made any false entry in or falsification of the register, and 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



*Dentists.*

or declaration, either verbally or in writing, and any person aiding or assisting therein, shall be guilty of a misdemeanour, and shall on conviction be liable to be imprisoned, with or without hard labour, for any term not exceeding twelve months.

17. The board may examine any person upon oath, or take a solemn declaration from any person for the purposes of this Act; and if any person wilfully makes any false statement upon such examination or in such declaration, or utters or attempts to utter or put off as true before the board any false, forged, or counterfeit certificate, diploma, license, letter, testimonial, or other document or writing, he shall be guilty of a misdemeanour, and shall on conviction be liable to be imprisoned for any period not exceeding twelve months.

18. All informations for offences against this Act shall be laid by the registrar, or some other person appointed by the board for that purpose, and all penalties when recovered shall be paid to the dental board for the purposes of this Act. All such penalties may be recovered before any stipendiary or police magistrate or two justices of the peace sitting in petty sessions.

19. The fees mentioned in the Schedule to this Act shall be payable by persons applying to be registered, or obtaining certificates of registration under this Act, or inspecting the register respectively, to the registrar, and shall be applied by the board in defraying the expenses and carrying out the provisions of this Act.

## SCHEDULE.

	£	s.	d.
On application until 1st January, 1901	2	2	0
On application after that date	5	5	0
Certificate of registration	0	5	0
Inspection of register...	0	5	0
Alteration of register...	0	5	0

By Authority: WILLIAM APPELGATE GULLICK, Government Printer, Sydney, 1900.

[6d.]



