

AUSTRALIAN CAPITAL TERRITORY

DENTAL TECHNICIANS AND DENTAL PROSTHETISTS REGISTRATION ACT 1988

DETERMINATION NO. 189 OF 1996

EXPLANATORY STATEMENT

The *Dental Technicians and Dental Prosthetists Registration Act 1988* (the Act) provides for the registration of persons engaged in the practice of dental technical and dental prosthetic services and for other related purposes. Subsection 73(1) of the Act provides for the Minister to determine fees for the purposes of the Act and publish that determination in the ACT Gazette.

This instrument revokes all previously determined fees for the purposes of the Act as determined by Determination No. 14 of 1993 which was published in the ACT Gazette No. S174, 30 August 1993 or by Determination No. 94 of 1991 as published in the ACT Special Gazette S114 of 14 October 1991. Whilst fees for some provisions remain unchanged, others have been increased to reflect full cost recovery for services provided, increased in accordance with the Consumer Price Index (CPI) or in order to align fees with those for similar provisions in other health professions registration Acts.

1. Paragraph 25(b), fees for registration pursuant to sections 26, 27, 29 and 30.

Section 25 of the Act requires that applications for registration are to be accompanied by the determined fee.

Subsection 26(1) of the Act provides for the registration of a natural person as a dental technician and subsection 26(2) provides for the registration of a natural person as a dental prosthetist.

Section 27 of the Act provides for the registration of companies. Subsection 27(1) deals with registering a company as a dental technician and subsection 27(2) deals with registering a company as a dental prosthetist.

Section 29 provides for provisional registration.

Section 30 provides for temporary registration and the renewal of temporary registration.

Applications for registration under the provisions sections 26, 27, 29 and 30 are subject to the payment of the fees determined under paragraph 25(b).

Registration of a natural person as dental technician or dental prosthetist.

Fees for the purpose of paragraph 25(b) pursuant to subsections 26(1) and 26(2) were determined by Determination No. 14 of 1993 which was published in the ACT Gazette No. S174, 30 August 1993. Fees for the registration of a natural person as a dental technician were set at \$103.00 and for a dental prosthetist \$129.00.

This instrument increases these fees to \$106.00 and \$135.00 respectively. These increases are in accordance with CPI increases.

Registration of a company as dental technician or dental prosthetist.

In the past no fees have been determined for the purposes of paragraph 25(b) pursuant to section 27 for the purpose of registering a company as a dental technician or dental prosthetist. To date no applications have been received requesting such registration.

It is appropriate, however, that a fee for this purpose be determined. Accordingly, it is considered appropriate to set the fees at the same level as those for a natural person which are by this instrument set at \$106.00 for a dental technician and \$135.00 for a dental prosthetist.

Provisional registration.

Section 29 of the Act provides for a person to be registered provisionally if the person applies to the Board for provisional registration. Provisional registration is only valid for three months from the date it is granted during which time the Board is required to make a decision to either register the person or refuse registration and notify the person accordingly.

Provisional registration is granted on payment of the fee also determined under paragraph 25(b).

Provisional registration is usually granted to a person in circumstances where the applicant is entitled to full registration but where it is not practicable to wait until the Board can consider the application or for the fact that the degree or award to which the applicant is entitled has not yet been conferred or granted by the institution concerned.

There has been no previous fee determined for this provision. Given that provisional registration under this Act would be granted in similar circumstances to 'interim registration' under most other health professional registration Acts, it is appropriate that the determined fee be set at an equivalent level with fees determined under those Acts for interim registration. Therefore this fee is set at \$20.00.

Temporary registration and renewal of temporary registration.

Section 30 of the Act provides for the Board to grant temporary registration to a dental technician or dental prosthetist. Such registration is also subject to the payment of a determined fee under paragraph 25(b).

Temporary registration is for three months and is granted to those applicants intending to practise in the Australian Capital Territory for short periods of time, as locums or lecturers. Renewal of the three month period may be granted on application to the Board subject to payment of the determined fee.

The determined fee for temporary registration or renewal of temporary registration is \$75.00 for dental technicians and \$100 for dental prosthetists. This determination was published in the Australian Capital Territory Gazette No. S114, 14 October 1991, Determination No 94 of 1991. The determined fee is set at \$106.00 for dental technicians and \$135.00 for dental prosthetists. This increase brings the fee into line with the fees for full and temporary registration and reflects the move towards full cost recovery for services provided by the Board.

2. Subsection 34(1), annual registration fee.

Subsection 34(1) of the Act requires a registered dental technician and dental prosthetist or company to pay the determined fee on or before 1 September in each year. The payment of this fee entitles the registrant's name to remain on the Register of Dental Technicians and Dental Prosthetists, as the case may be, which are kept by the Board in accordance with section 32 of the Act. This entitles the registrant to practise as a dental technician and a dental prosthetist, as the case may be, in the Australian Capital Territory for the next 12 months.

The determined annual fee as determined by Determination No 114 of 1993 was published in the ACT Gazette No. S174 on 30 August 1993 is \$77.00 for dental technicians and \$129.00 for dental prosthetists. The fee for registration under subsection 34(1) is set at \$100.00 for dental technicians/companies and \$135.00 for dental prosthetists/companies. This fee reflects a gradual move towards full cost recovery for services provided by the Board and covers administrative costs associated with sending renewal notices to registrants, processing and receipting procedures, maintenance of the Registers, publication of names and addresses of persons registered under the Act etc.

3. Paragraph 34(4) fee for re-registration

A person whose registration has been cancelled for failure to pay the determined fee under subsection 34(1) is entitled to be re-registered under the provisions of subsection 34(4) if he or she makes application for registration and pays the determined fee within 12 months after the date on which the registration is so cancelled.

The fee for re-registration has not been previously determined. The fee for the purposes of subsection 34(4) is set at \$100.00 for dental technicians/companies and \$135.00 for dental prosthetists/companies, which is equivalent to the annual practising fee. This fee also reflects a gradual move towards full cost recovery for services provided by the Board.

4. Subparagraph 36(b)(i), fee for alteration to the register

Under the provisions of section 36 of the Act the Board may, from time to time, at the request of the person or of its own accord, make such alterations to particulars in the Register as are necessary. Such alterations would include amendment of incorrect particulars, addition of relevant information, removal of names of people who have died or who have ceased to become registered and alterations of particulars pursuant to disciplinary orders.

The Board is not entitled to make an alteration to particulars in the Register at the request of a person unless satisfied that the determined fee under subparagraph 36(b)(i) has been paid. The determined fee for this provision determined by Determination No. 114 of 1991 as published in the Australian Capital Territory Gazette No. S174 on 14 October 1991 is \$10.00. This fee remains unaltered as it is consistent with the determined fee for this provision in other health registration legislation and appears at this time to reflect the cost associated with making such alterations.

5. Subsection 33(3), fee for duplicate certificate.

Under the provisions of section 33 of the Act, the Board is required to issue to a person who is registered as a dental technician or dental prosthetist, a certificate of registration signed by the chairperson or deputy chairperson. The certificate is to specify the person registered and the date on which registration was achieved.

Where a person's certificate of registration has been lost or destroyed the Board may, subject to certain conditions issue a duplicate certificate to the person subject to the payment of the determined fee under subsection 33(3).

For this provision the determined fee as determined by Determination No. 114 of 1991 which was published in the Australian Capital Territory Gazette No. S174 on 14 October 1991 is \$20.00. This instrument determines the fee at \$30.00. This increase is in line with other health professions boards legislation and reflects the printing and administrative costs associated with providing a duplicate certificate.

6. Paragraph 66(1)(a), fee to inspect an entry in the register.

Under paragraph 66(1)(a) a person may on payment of the determined fee inspect an entry in the Register. The determined fee for this provision determined by Determination No. 114 of 1991 as published in the Australian Capital Territory Gazette No. S174 on 14 October 1991 is \$5.00. The determined fee for the purposes of paragraph 66(1)(a) remains unaltered as it is consistent with the determined fee for this provision in other health registration legislation and appears at this time to reflect the cost associated with providing this service.

7. Paragraph 66(1)(b), fee to obtain a certified copy of an entry in the register.

Under paragraph 66(1)(b) of the Act a person may on payment of the determined fee obtain a certified copy of an entry in the Register. The determined fee for this provision determined by Determination No 114 of 1991 as published in the Australian Capital Territory Gazette No S174 on 14 October 1991 is \$10.00. The determined fee for the purposes of paragraph 66(1)(b) remains unaltered as it is consistent with the determined fee for this provision in other health registration legislation and appears at this time to reflect the cost associated with providing this service.

8. The following comparative chart is included for ease of reference

Dental Technicians and Dental Prosthetists Registration Act 1988	Technicians Old fee	Technicians New fee	Prosthetists Old fee	Prosthetists New fee
Application for registration fee paragraph 25(b), pursuant to subsection 26(1) and section 27	\$103.00	\$106.00	\$129.00	\$135.00
Fee for temporary registration and renewal, paragraph 25(b), pursuant to subsection 30(1) and 30(4)	\$ 75.00	\$106.00	\$100.00	\$135.00
Provisional registration fee paragraph 25(b), pursuant to section 29		\$ 20.00		\$ 20.00
Annual registration fee subsection 34(1)	\$ 77.00	\$100.00	\$129.00	\$135.00
Re-registration fee subsection 34(4)		\$100.00		\$135.00
Fee for alteration to the register subparagraph 36(b)(i)	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00
Fee for a duplicate certificate subsection 33(3)	\$ 20.00	\$ 30.00	\$ 20.00	\$ 30.00
Fee for inspection of entry in the register paragraph 66(1)(a)	\$ 5.00	\$ 5.00	\$ 5.00	\$ 5.00
Fee to obtain a certified copy of an entry in the register paragraph 66(1)(b)	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00