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**AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY**

**DENTISTS REGISTRATION (AMENDMENT) BILL 1993**

**EXPLANATORY MEMORANDUM**

Circulated by authority of  
Wayne Berry MLA  
Deputy Chief Minister

## **DENTISTS REGISTRATION (AMENDMENT) BILL 1993**

### **EXPLANATORY MEMORANDUM**

#### **OUTLINE**

The Dentists Registration Act 1931 exists to provide registration of and discipline methods for Dentists within the ACT. It is the legal instrument of the Dental board of the ACT which is a statutory body with executive powers.

Also embodied in the Act is the legal authority for dental therapists, assistants and hygienists to practise under the direction and control of a registered dentist.

When the Health ( Consequential Provisions ) Act 1993 was drafted all reference to dental therapists was inadvertently removed due to section 34 (1B) of the Dentists Registration Act 1931 being repealed effective on 1 March 1993.

It is proposed to amend the Dentist Registration Act 1931 to reinstate subsection 34(1B) with retrospective effect from 1 March 1993, the commencement of the Health (Consequential Provisions) Act 1993

This retrospective amendment will not impose any burden on dental therapists and will in fact have the opposite effect of restoring a benefit (i.e. the right to practise) which has inadvertently been taken away. It will also protect dental therapists from the unlikely event of prosecution for acts done during the period from 1 March 1993 until the enactment of the amendment.

The amendment involves no change in policy and is of a purely technical nature to restore the status quo.

#### **FINANCIAL CONSIDERATIONS**

The costs of administering the legislation is currently being met and the introduction of this amendment would not cause any further costs.

## Clause notes

### **1 Short Title :**

The Dentists Registration (Amendment) Bill 1993

### **2 Commencement**

Sections 1 and 2 will commence on the day which the Act is notified in the Gazette.  
Section 3 and 4 shall be taken to have commenced on 1 March 1993.

### **3 Principal Act**

This clause defines the meaning of the principal Act which is the Dentists Registration Act 1931.

### **4 No person other than a registered dentist to practice dentistry.**

This clause reintroduces a clause which was inadvertently repealed at the commencement of the Health (Consequential Provisions) Act 1993. It gives Dental Therapists legal authority to engage in government service dental practice.