

AUSTRALIAN CAPITAL TERRITORY
DENTISTS REGISTRATION (AMENDMENT) ORDINANCE 1984
EXPLANATORY STATEMENT

No. 40 of 1984

The Dentists Registration (Amendment) Ordinance, 1984 (the amendment Ordinance) amends the Dentists Registration Ordinance, 1931 (the principal Ordinance) as a final stage in a general review of the health professions registration Ordinances. The earlier stages comprised amendments consequential upon the Health Professions Boards (Elections) Ordinance, 1980 and the Health Professions Boards (Procedures) Ordinance, 1981. The Ordinance makes several substantive changes to the existing law. Generally these changes are standard in health professions registration legislation and have already been incorporated in the Medical Practitioners Registration Ordinance, 1930 and the Veterinary Surgeons Registration Ordinance, 1965.

Sections 1-2 provides for procedural matters.

Section 3 inserts two interpretation sub-sections to Section 4. The new sub-section (1A) concerning the prescribed fee provides for fees payable under the Ordinance to be determined under the new Section 41. That section provides for fees to be determined by the Minister through notice in the Gazette and results from amendments to the Seat of Government (Administration) Act, 1910 designed to reduce the work load of the legislative draftsman. New sub-section 3 clarifies who shall be deemed to practise dentistry for the purposes of the Ordinance. It includes persons who employ those who engage in dentistry and those who engage in dentistry but are employed by another, as well as those who practise dentistry personally on their own account or as a member of a firm.



Section 4 amends Section 23J by enabling the registration of persons entitled to be registered as dental hygienists in a State or another Territory. Previously the section only allowed registration if the person was actually registered under the law of a State or another Territory.

Section 5 amends Section 30 by making the definition of "unprofessional conduct" which relates to advertising and canvassing by dentists to procure patients or practice more specific and exhaustive. Conduct which is excepted in this respect is outlined in the section rather than prescribed in the regulations.

Section 6 amends Section 38AA and extend the procedure for reviewing dental fees to include fees for all dental services. At present the review is only available where the fee is charged by a registered dentist.

Section 7 adjusts the heading of Part IVA.

Section 8 abolishes the heading to Part V.

Section 9 inserts new Sections 39, 40 and 41. Section 39 provides a formula for notifying persons who are adversely affected by Dental Board decisions. The notification is required to contain prescribed information and there must be advice to the persons adversely affected that they have a right of appeal under the Administrative Appeals Tribunal Act 1975. Section 40 will provide for the annual publication of the names and professional addresses of registered dentists. Section 41 provides power for the Minister to determine fees by publishing them in the Gazette.

Section 10 abolishes the heading to Part VI.

Section 11 deletes from Section 43 specification of matters for which the Minister may make regulations. Instead his power is detailed as that which is necessary for giving effect to the Ordinance.

Ord. No. 4/83