



ANNO QUARTO

# EDWARDI VII REGIS.

A.D. 1904.

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## No. 871.

An Act to amend "The Dentists Act, 1902."

*[Assented to, November 24th, 1904.]*

**B**E it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. This Act may be cited as "The Dentists Act Amendment Act, 1904," and shall be incorporated with and read as one with "The Dentists Act, 1902," hereinafter referred to as the principal Act. Short title and incorporation.

2. In the construction of this Act and of the principal Act the following term shall have the meaning set against it, that is to say— Interpretation.  
"Dentistry"—The extracting and stopping and other treatment of natural teeth, and the making, fitting, and adjustment of artificial teeth.

3. Sections 4, 5, 6, 7, and 8 of the principal Act are hereby repealed, and the said Act shall be read and construed as if the next following section had been inserted therein in lieu of such repealed sections. Repeal of sections 4, 5, 6, 7, 8 of principal Act.

4. (1) The Governor, in the month of January, one thousand nine hundred and five, and in the month of January in every succeeding alternate year, shall appoint a Board, to be called "The Dental Board of South Australia." Dental Board.

(2) Such Board shall consist of five members, of whom two shall be registered dentists elected by the registered dentists, two shall be legally

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legally qualified medical practitioners elected by the South Australian Branch of the British Medical Association, and one nominated by the Governor, who shall be President of the Board. A quorum of the Board shall consist of not less than three members.

(3) If any vacancy occurs in the office of Member of the Board the Governor may fill such vacancy by appointing without previous election any registered dentist or medical practitioner, according to the vacancy to be filled, and the person so appointed shall hold office until the next election.

(4) The names of the persons elected by the registered dentists and by the said branch of the British Medical Association shall be certified to the Governor under the respective hands of the Registrar of the said Board and of the Secretary of the said Association on or before the fifteenth day of January, one thousand nine hundred and five, and on or before the same day in every such alternate year.

(5) Elections shall be held at such times and in such manner as may be prescribed by regulations to be made by the Governor, which regulations for the purposes of this section shall have the force of law immediately after the publication of the same.

Repeal of sec. 9 of principal Act.

**5.** Section 9 of the principal Act is hereby repealed, and the said Act shall be read and construed as if the next following section had been inserted therein in lieu of such repealed section.

Examinations by Board.

**6.** (1) The Board shall hold examinations of persons desirous of qualifying themselves to be registered as dentists.

(2) No person shall be admitted to the final qualifying examination unless he has attained the age of twenty-one years and has complied with the regulations in force (if any) made by the Governor.

(3) Examinations for the purpose of this and the principal Act shall be conducted by such examiners as the Board from time to time appoints for that purpose.

Amendment of sec. 13 of principal Act.

**7.** Section 13 of the principal Act shall be read and construed as if the word "inadvertently" had been inserted therein after the word "incorrectly" in the second line thereof.

Repeal of sec. 16.

**8.** Section 16 of the principal Act is hereby repealed, and the said Act shall be read and construed as if the next following section had been inserted therein in lieu of such repealed section.

Penalties.

**9.** From and after the passing of this Act no person other than a person registered under this Act, and no company other than a company that has complied and continues to comply with the provisions of section 12 relating to companies, shall have attached to or exhibited at his place of business or residence, or take or use in any advertisement or on any handbill, letter-paper, or billhead the name or title "dentist," "dental surgeon," "surgeon dentist," "mechanical dentist," or "dental practitioner," either in the singular

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or plural, and either alone or in combination with any term or description implying that he is qualified to practise; nor shall any person use the word "dental" or any similar word, or any word implying that dental operations are performed or carried on by a company, society, institute, school, college, or other plurality of persons, unless he is so practising at the passing of and is registered under this Act: penalty, not less than Five Pounds nor more than Fifty Pounds. Any person, whether registered or not, who uses the letters "R.D.S." as an addition to his name-plate or sign, or in any advertisement, handbill, or other public notice published by him, or who uses either as an addition to his name-plate or sign, or in any advertisement, handbill, or other public notice published by him, any title, description, words, or letters to which he is not properly entitled, or who in any other manner falsely claims to hold a degree, licence, certificate, membership, or other title, status, or document which is recognised by the Board as entitling the holder to registration under this Act, shall on conviction be liable to a penalty of not less than Five Pounds and not exceeding Fifty Pounds.

**10.** Section 17 of the principal Act is hereby repealed, and the said Act shall be read and construed as if the next following section had been inserted therein in lieu of such repealed section Repeal of sec. 17.

**11.** No registered dentist shall in any advertisement, poster, or other public notice hold out an unregistered person as being, or use words implying that such unregistered person is, a partner or assistant of such registered person, or shall permit any unregistered person to perform any dental operation which has been entrusted to or is in charge of such registered dentist unless under his immediate supervision, or, in the case of a company, under the immediate supervision of a registered dentist operating for such company. Penalty, not less than Five Pounds and not exceeding Twenty Pounds. Unregistered persons not to act for registered dentists.

**12.** Section 19 of the principal Act is hereby repealed, and the said Act shall be read and construed as if the next following words had been inserted therein in lieu of such repealed section. Amendment of sec. 19.

Any person who is a licentiate in dental surgery of—

- (A) Royal College of Surgeons, England :
- (B) Royal College of Surgeons, Edinburgh :
- (C) Royal College of Surgeons, Ireland :
- (D) The Faculty of Physicians, Glasgow :
- (E) A dental college affiliated with a university in Australia, or other British possession :
- (F) University of Birmingham :
- (G) Holds the degree of doctor of dental surgery or doctor of dental medicine conferred by a school or college which

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is a member of the National Association of Dental Faculties of the United States of America, and who, if required by the Board so to do, passes such examination of the Board held pursuant to the provisions of subsection (e), or passes in such of the subjects of such final examination as may be selected by the Board, or passes such an examination in practical dentistry as may be prescribed:

- (H) Holds such diploma, certificate, or other title, status, or document as may be recognised for the time being by the Board as entitling the holder thereof to practise dentistry:

or who—

- (a) Proves to the satisfaction of the Board that he was on and before the twenty-first day of November, one thousand nine hundred and one, *boná fide* and substantially engaged as a principal in the practice of dentistry in South Australia:
- (b) Is registered or entitled to be registered in the United Kingdom as a graduate in dentistry of a medical school or university granting degrees in dentistry upon a curriculum and examination:
- (c) Has been *boná fide* an assistant in dentistry for three years before the twenty-first day of November, one thousand nine hundred and one, to a dentist practising in South Australia, and entitled to registration under this Act, and has complied with an examination by the Board and has produced to the Registrar, before the first day of January, one thousand nine hundred and five, information of his name and address:
- (d) Has been an articed pupil or apprentice for a period of not less than one year before the passing of this amending Act to a dentist practising in South Australia, and entitled to registration under this Act, and has produced to the Registrar, before the first day of January, one thousand nine hundred and five, information of his name and address, and has passed an examination in dental subjects before a Board of Examiners appointed by the Board: Provided such pupilage or apprenticeship shall have been for a period of three years at least, and shall have expired, and such articed pupil or apprentice shall have attained the age of twenty-one years, before he shall be entitled to be so registered:
- (e) Has gone through such course of study and professional practice and training and passed such examinations before the Board of Examiners appointed by the Board, and has obtained a certificate from the Board of fitness to practise dentistry as may be prescribed by the regulations:  
shall

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shall be entitled to registration: Provided that he or she makes application for registration in the form of the proper Schedule for the same, and as to any existing company now incorporated or which shall have been incorporated, within one month after the passing of "The Dentists Act, 1902," or their successors or assigns, whose objects are the carrying on of the profession of a dentist, such application, and all acts, matters, and things incidental to obtaining registration, may be made and done by some person authorised by the company to make and do the same; and the company shall be entitled to registration as a dentist under this Act upon proof to the Board that the operator of the company is registered as a dentist under this Act, and such registration shall continue so long as the company shall employ a dentist duly qualified under this Act.

**13.** Section 20 of the principal Act shall be read and construed as if the words "within one month" had been inserted after the word "may" in the third line, and as if the words "and may make such order as to the payment of the costs of appeal as it shall think fit" had been inserted therein after the word "applicant."

Amendment of  
sec. 20.

**14.** Section 23 of the principal Act is hereby repealed, and the said Act shall be read and construed as if the next following section had been inserted therein in lieu of such repealed section.

Repeal of sec. 23.

**15.** (1) The Board may require the attendance before it of any person who applies for registration and of any other person, and may also require such applicant to produce to the Board such books, accounts, papers, or documents in the possession or power of such applicant as the Board may think fit, and may examine or question any such persons or any witnesses who may attend before the Board upon oath, affirmation, or otherwise; and for any such purposes the Chairman may administer an oath or affirmation.

Attendance and  
examination of  
witnesses and  
production of  
documents.

(2) Every summons issued by the Board requiring the attendance of any person or the production of any books, accounts, papers, or documents, and signed by the Registrar, 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) Any person who shall wilfully, knowingly, or corruptly make any false statement upon any such examination before the Board, or in any declaration used in evidence before the Board, or who 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 document or writing, shall be guilty of a misdemeanor, and, being thereof duly convicted, shall be liable to be imprisoned for any period not exceeding one year.

**16.** Section 24 of the principal Act shall be read and construed as if the words "upon the administration of anæsthetics" were inserted

Amendment of sec. 24.

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inserted therein after the word “examination” in the fourth line of such section, and as if the word “dentistry” were inserted therein in lieu of the words “dental surgery.”

Amendment of secs.  
10 and 26.

**17.** The whole of section 10 of the principal Act after the word “appointed” in the third line thereof and the words “and make by-laws” in the marginal note to such section, and sub-section (1) of section 26 of the principal Act, are hereby repealed, and the said Act shall be read and construed as if the following sub-section had been inserted in the said section 26 in lieu of such repealed sub-section.

Regulations.

(1) The Governor may from time to time make and issue regulations for all or any of the following purposes:—

- i. Regulating the meetings and proceedings of the Board and the conduct of the business thereof; the election of a member to perform the duties of the Chairman and act as Deputy Chairman during the illness or absence of the Chairman:
- ii. Prescribing the duties of the Registrar and other officers of the Board:
- iii. Regulating the manner of keeping, and the form of, the register:
- iv. Prescribing forms to be used for the purposes of this Act or the by-laws:
- v. Determining the evidence to be produced and conditions to be fulfilled by any person applying for registration under this Act:
- vi. Regulating the granting of certificates of fitness and prescribing the form thereof:
- vii. Prescribing what certificates of examinations will be recognised by the Board as a substitute for the examinations of the Board:
- viii. Prescribing what certificates, diplomas, memberships, degrees, licences, letters, testimonial, or other title, status, or documents will be recognised by the Board as qualifying persons holding them or any of them to be registered as dentists:
- ix. Requiring and regulating the registration in the office of the Registrar of all contracts and articles of apprenticeship or pupilage under which apprentices or pupils in dentistry are serving:
- x. Prescribing the course of study, professional practice, conditions of service, and training and examination of persons desirous of obtaining certificates of fitness entitling them to be registered as dentists, prescribing the fees payable to examiners:
- xi. Generally for carrying into effect the objects of this Act.

**18.** During

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**18.** During the month of January next following the passing of this Act, and thenceforth in the month of January in each year, every registered dentist shall pay to the Board an annual licence fee of Two Guineas, and on failing to make such payment shall cease to be a registered dentist; but the Board shall at any time restore to the register the name of any dentist failing to make such payment on receiving all arrears. The Board shall, on payment of the said annual fee, grant to every registered dentist a certificate in the form of the Second Schedule; and such certificate shall be conclusive evidence that the holder thereof is entered upon the register, and entitled to carry on the profession of a dentist during the currency thereof. Annual fee.

**19.** The Second, Third, Fourth, and Fifth Schedules to the principal Act are hereby repealed, and the Schedules to this Act are substituted in lieu thereof. Schedules.

**20.** Notwithstanding anything to the contrary in this Act contained, every person who before the passing of the principal Act was carrying on the business of extracting teeth for reward in South Australia shall be entitled to continue such practice, and to recover his reasonable fees or charges therefor; but shall not be entitled to be registered as a dentist.

**21.** The First Schedule to the principal Act is hereby amended by striking out the figures 3 3 0 in the first line thereof and inserting 1 1 0 in lieu thereof, and by striking out 0 5 0 in the second line thereof and inserting 3 3 0 in lieu thereof. When any person shall apply for registration and the application shall be refused by the Board, the registration fee shall be refunded forthwith to such applicant by the Board. Fees.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

GEORGE R. LE HUNTE, Governor.

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## SCHEDULES.

## SECOND SCHEDULE.

*Certificate of Registration as a Registered Dentist.*

We do hereby certify that \_\_\_\_\_, residing at \_\_\_\_\_, is duly qualified to practise as a registered dentist from the date hereof until the first day of January next ensuing.

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

A. B., President,	}	Of the Dental Board of South Australia.
C. D., Member,		

## THIRD SCHEDULE.

*Declaration required to be made by any Person claiming Registration under Section \_\_\_\_\_, Sub-sections (A), (B), (C), (D), (E), (F), (G), or (H).*

I, \_\_\_\_\_, residing at \_\_\_\_\_, claim registration as a dentist under sub-section ( ) of section \_\_\_\_\_ of \_\_\_\_\_, and do hereby declare that I am a licentiate in dental surgery of \_\_\_\_\_, and that I am the person named in the diploma (or certificate) now produced and shown to me and marked with the letter "A."

Declared at \_\_\_\_\_, this \_\_\_\_\_ day  
of \_\_\_\_\_, 19\_\_\_\_, before me. }

SOUTH  
AUSTRALIA.

1/-

*Duty Stamp.*

## FOURTH SCHEDULE.

*Declaration required to be made by any Person claiming Registration under Section \_\_\_\_\_, Sub-section (a).*

I, \_\_\_\_\_, residing at \_\_\_\_\_, claim registration as a dentist under sub-section (a) of section \_\_\_\_\_ of \_\_\_\_\_, and do hereby declare that I was *bona fide* and substantially engaged as a principal in the practise of dentistry in South Australia on and before the thirty-first day of November, 1901

Declared at \_\_\_\_\_, this \_\_\_\_\_ day  
of \_\_\_\_\_, 19\_\_\_\_, before me. }

SOUTH  
AUSTRALIA.

1/-

*Duty Stamp.*

## FIFTH SCHEDULE.

*Declaration required to be made by any Person claiming Registration under Section \_\_\_\_\_, Sub-section (b).*

I, \_\_\_\_\_, residing at \_\_\_\_\_, claim registration as a dentist under sub-section (b) of section \_\_\_\_\_ of \_\_\_\_\_ and do hereby declare that I am registered (or entitled to be registered) in the United Kingdom as a graduate in dentistry of the University (or Medical School) of \_\_\_\_\_.

Declared at \_\_\_\_\_, this \_\_\_\_\_ day  
of \_\_\_\_\_, 19\_\_\_\_, before me. }

SOUTH  
AUSTRALIA.

1/-

*Duty Stamp.*

SIXTH



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## SIXTH SCHEDULE.

*Declaration required to be made by any Person claiming Registration under Section , Sub-section (c).*

I, \_\_\_\_\_, residing at \_\_\_\_\_, claim registration as a dentist under sub-section (c) of section \_\_\_\_\_ of \_\_\_\_\_, and do hereby declare that I have been *bond fide* an assistant in dentistry for three years before the twenty-first day of November, 1901, to \_\_\_\_\_, a dentist practising at \_\_\_\_\_, and entitled to registration under \_\_\_\_\_.

Declared at \_\_\_\_\_, this \_\_\_\_\_ day )  
of \_\_\_\_\_, 19\_\_\_\_, before me. )

SOUTH  
AUSTRALIA.

1/-

*Duty Stamp.*

## SEVENTH SCHEDULE.

*Declaration required to be made by any Person claiming Registration under Section , Sub-section (d).*

I, \_\_\_\_\_, residing at \_\_\_\_\_, claim registration as a dentist under sub-section (d) of section \_\_\_\_\_ of \_\_\_\_\_, and do hereby declare that I have attained the age of twenty-one years, and have been an articled pupil (or apprentice) to \_\_\_\_\_, a dentist practising at \_\_\_\_\_, and entitled to registration under \_\_\_\_\_ and that such pupilage (or apprenticeship) began on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and ended on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that my articles of pupilage (or apprenticeship) are now produced and shown to me and marked with the letter "A."

Declared at \_\_\_\_\_, this \_\_\_\_\_ day )  
of \_\_\_\_\_, 19\_\_\_\_, before me. )

SOUTH  
AUSTRALIA.

1/-

*Duty Stamp.*

## EIGHTH SCHEDULE.

*Declaration required to be made by any Person claiming Registration under Section , Sub-section (e).*

I, \_\_\_\_\_, residing at \_\_\_\_\_, claim registration as a dentist under sub-section (e) of section \_\_\_\_\_ of \_\_\_\_\_, and do hereby declare that I am the person named in the certificate from the University of Adelaide now produced and shown to me and marked with the letter "A."

Declared at \_\_\_\_\_, this \_\_\_\_\_ day )  
of \_\_\_\_\_, 19\_\_\_\_, before me. )

SOUTH  
AUSTRALIA.

1/-

*Duty Stamp.*