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First published in the *Government Gazette*, Electronic Edition, on 1st October 1999 at 5:00 pm.

The following Act was passed by Parliament on 6th July 1999 and assented to by the President on 13th July 1999:—

## **THE DENTISTS ACT 1999**

**(No. 24 of 1999)**

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**REPUBLIC OF SINGAPORE**

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**No. 24 of 1999.**

I assent.



ONG TENG CHEONG,  
*President.*  
*13th July 1999.*

An Act to establish the Dental Council, to provide for the registration of dentists and for matters connected therewith, to repeal the Dentists Act (Chapter 76 of the 1985 Revised Edition) and to make consequential amendments to other written law.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

**PART I****PRELIMINARY****Short title and commencement**

**1.** This Act may be cited as the Dentists Act 1999 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

**Interpretation**

2. In this Act, unless the context otherwise requires —

“certificate of registration” means a certificate of registration issued under section 16;

“Complaints Committee” means a Complaints Committee appointed under section 35;

“Council” means the Dental Council established under section 3;

“Disciplinary Committee” means a Disciplinary Committee appointed under section 40;

“Health Committee” means the Health Committee appointed under section 48;

“practice of dentistry” includes —

- (a) the performance of any operation and the treatment of any diseases, deficiencies, deformities or lesions on or of the human teeth or jaws or associated structures, whether intraorally or extraorally;
- (b) the correction of malpositions of the human teeth or jaws or associated structures;
- (c) the performance of radiographic work in connection with the human teeth or jaws or associated structures;
- (d) the administration of an anaesthetic agent in connection with any operation on the human teeth or jaws or associated structures;
- (e) the mechanical construction or the renewal or repair of dentures or restorative dental appliances;
- (f) the performance of any operation on, or the giving of any treatment, advice or attendance to any person, as preparatory to, or for the purpose of or for or in connection with, the fitting, inserting, fixing, constructing, repairing or renewing of dentures or restorative dental appliances; and
- (g) the performance of any such operation and the giving of any such treatment, advice or attendance as is usually performed or given by dentists,

and the expression “practise dentistry” has a corresponding meaning;

“practising certificate” means a practising certificate granted under section 17;

“register” means the dentists register kept under section 13;

“registered dentist” means a person who is registered as a dentist under this Act and includes a person deemed to be a registered dentist under section 65 (1), and “registered as a dentist” and “registration as a dentist” have corresponding meanings;

“Registrar” means the Registrar appointed under section 12;

“repealed Act” means the Dentists Act (Cap. 76) repealed by this Act.

## PART II

### DENTAL COUNCIL

#### **Establishment of Dental Council**

**3.—**(1) There shall be established a body, to be known as the Dental Council, which shall be a body corporate with perpetual succession and a common seal.

(2) The Council shall consist of —

- (a) 6 members to be appointed by the Minister; and
- (b) 5 members to be elected by registered dentists whose names appear in the first division of the register and who are resident in Singapore.

(3) Of the members referred to in subsection (2) (a), there shall be —

- (a) 4 registered dentists whose names appear in the first division of the register and who are practising in Singapore;
- (b) one registered dentist whose name appears in the second division of the register and who is practising in Singapore; and
- (c) one member of the academic staff of the Faculty of Dentistry of the National University of Singapore.

(4) Only registered dentists whose names appear in the first division of the register and who have at least 10 years’ experience in the practice of dentistry may be elected as members of the Council.

(5) The members shall hold office for a term of 3 years and shall be eligible for reappointment or re-election.

(6) The Minister may, at any time, revoke the appointment of any member appointed under subsection (2) (a) without assigning any reason.

### **Functions of Council**

4. The functions of the Council are —

- (a) to approve or reject applications for registration as a dentist under this Act or to approve any such application subject to such conditions as it may think fit;
- (b) to issue certificates of registration and practising certificates to registered dentists;
- (c) to make recommendations to the appropriate authorities on the courses of instructions and examinations leading to a degree of Bachelor of Dental Surgery in the National University of Singapore;
- (d) to make recommendations to the appropriate authorities for the training and education of registered dentists;
- (e) to determine and regulate the conduct and ethics of registered dentists; and
- (f) generally to do all such acts, matters and things as are necessary to be carried out, or which the Council is authorised to carry out, under this Act.

### **Compulsory voting**

5.—(1) Every registered dentist whose name appears in the first division of the register and who is resident in Singapore shall vote for the election of members of the Council referred to in section 3 (2) (b) at such time and in such manner as may be prescribed.

(2) Notwithstanding the provisions of this Act, a person who is required under subsection (1) to vote and who fails to do so shall not be entitled to apply for a practising certificate under section 17, unless he satisfies the Registrar that he has a good and sufficient reason for not voting or unless he pays to the Council a penalty prescribed by the Council.

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**President of Council**

**6.—**(1) The Council shall have a President who shall be elected by the members of the Council from among its members.

(2) The President shall serve for a term not extending beyond the expiration of the term for which he has been appointed or elected to be a member of the Council, and shall be eligible for re-election.

**Disqualifications for membership of Council**

**7.** No person shall be a member of the Council if —

- (a) he is not a citizen or a permanent resident of Singapore;
- (b) he is not a registered dentist;
- (c) he is an undischarged bankrupt;
- (d) he has been convicted in Singapore or elsewhere of any offence involving fraud or dishonesty, or implying a defect in character which makes him unfit for his profession;
- (e) he has been found guilty in Singapore or elsewhere of any improper act or conduct which brings disrepute to his profession;
- (f) he has been found guilty in Singapore or elsewhere of professional misconduct; or
- (g) his fitness to practise dentistry is judged by the Health Committee to be impaired by reason of his physical or mental condition.

**Filling of vacancies**

**8.—**(1) The office of a member of the Council shall become vacant if the member —

- (a) dies;
- (b) resigns his office;
- (c) is incapacitated by physical or mental illness;
- (d) becomes subject to any of the disqualifications specified in section 7;
- (e) without any good and sufficient reason, refuses to accept an appointment as a member of a Disciplinary Committee or the Health Committee; or



(f) being a member appointed by the Minister under section 3 (2) (a), has his appointment revoked before the expiry of his term of office.

(2) The Council may, with the approval of the Minister, remove from office any member of the Council who is absent without leave of the Council from 3 consecutive meetings of —

(a) the Council; or

(b) a Disciplinary Committee, or the Health Committee, of which he is a member.

(3) Any question as to whether a person has ceased to be a member of the Council shall be determined by the Minister whose decision shall be final.

(4) If any vacancy arises among the elected members, the Council shall, as soon as practicable, take the necessary action for the election of a person to fill the vacancy.

(5) If any vacancy arises among the appointed members, the Minister may appoint a person to fill the vacancy in the manner in which the appointment to the vacant office was made.

(6) The Council may act notwithstanding any vacancy in the membership of the Council.

(7) No act done by or by the authority of the Council shall be invalid in consequence of any defect that is afterwards discovered in the appointment or election or qualification of the members or any of them.

### **Meetings and quorum of Council**

9.—(1) The Council shall meet at such times and places as the President of the Council may appoint.

(2) The Registrar may exercise the power of the President referred to in subsection (1) in the absence of the President and at the direction of at least 2 of the members of the Council.

(3) At any meeting of the Council, 4 members shall form a quorum.

(4) The President shall preside at any meeting of the Council and, in his absence, such member as the members present may elect shall preside at that meeting.

(5) The member presiding at any meeting of the Council shall have an original vote and, in the case of an equality of votes, a casting vote.

### **Appointment of executive secretary and other employees**

**10.** The Council may appoint an executive secretary and other employees on such terms as the Council may determine.

### **Appointment of committees**

**11.—(1)** The Council may appoint one or more committees for any general or special purpose which, in the opinion of the Council, may be better dealt with or managed by a committee, and the Council may delegate to any committee so appointed, with or without restrictions or conditions as it thinks fit, any of the powers or functions which may be exercised or performed by the Council.

(2) The number and term of office of the members of a committee appointed under this section and the number of those members necessary to form a quorum shall be fixed by the Council.

(3) A committee appointed under this section may include persons who are not members of the Council.

(4) The Council may continue to exercise any power conferred upon it or perform any function under this Act notwithstanding the delegation of such power or function under this section.

(5) This section shall not apply in relation to a Complaints Committee, a Disciplinary Committee or the Health Committee.

## **PART III**

### **REGISTRATION OF DENTISTS**

#### **Registrar**

**12.—(1)** For the purposes of this Act and the regulations made thereunder, the Minister shall appoint a public officer as the Registrar.

(2) The Minister may appoint a person to act as Registrar during the absence from Singapore or incapacity from illness or otherwise of the Registrar.

**Dentists register**

**13.—**(1) The Registrar shall keep a dentists register which shall contain —

- (a) in the first division of the register —
  - (i) the names and addresses of all persons who are registered as dentists under section 15 (4);
  - (ii) the dates of their registration;
  - (iii) the qualifications by virtue of which they are registered;
  - (iv) such other particulars of those persons as the Council may determine; and
  - (v) all the particulars which are transferred to that division under section 65 (4); and
- (b) in the second division of the register, all the particulars which are transferred to or entered in that division under section 65 (4).

(2) The Registrar shall be responsible for the maintenance and custody of the register.

(3) A registered dentist shall inform the Registrar in writing of —

- (a) any change in his name, practice address, residential address or such of his other particulars as may be prescribed, within 28 days of the change; or
- (b) any alteration or addition to his qualifications.

(4) Any person who fails to comply with subsection (3) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

(5) A person who makes a report of a change in his residential address under section 8 of the National Registration Act (Cap. 201) shall be deemed to have complied with subsection (3) on the date on which he makes the report.

**Persons entitled to be registered as dentists**

**14.—**(1) Subject to the provisions of this Act, the following persons shall be entitled to be registered as dentists:

- 
- (a) any person who holds a degree of Bachelor of Dental Surgery granted by the University of Singapore or the National University of Singapore;
  - (b) any person who holds a degree in dentistry granted by any university included in the Schedule;
  - (c) any person who holds a degree in dentistry granted by any university, corporation, college or other body outside Singapore which is not included in the Schedule but whom the Minister, after consulting the Council, determines to be entitled to be registered as a dentist;
  - (d) any person who is resident in Singapore temporarily for the exclusive purpose of teaching, research or postgraduate study in an institution accepted for that purpose by the Council and who possesses qualifications in dentistry which in the opinion of the Council are adequate.

(2) The registration of any person referred to in subsection (1) (b), (c) or (d) may be subject to such conditions as the Council may determine.

(3) Without prejudice to the generality of subsection (2), the conditions referred to in that subsection may, in the case of a person referred to in subsection (1) (b) or (c), include a condition that the person shall work for a specified period in a company, firm or other organisation approved by the Council, and under the supervision of a registered dentist approved by the Council.

(4) Before advising the Minister under subsection (1) (c), the Council may require the person concerned to undergo and pass an examination conducted or arranged by the Council to satisfy itself that the person holds a degree in dentistry that is not lower in standard than that required of a person who holds —

- (a) a degree of Bachelor of Dental Surgery of the National University of Singapore; or
- (b) a degree in dentistry granted by any university included in the Schedule.

(5) The Minister may, after consulting the Council, by notification in the *Gazette*, vary or amend the Schedule.

**Application for registration**

**15.**—(1) Every application for registration shall be made in such form, and shall be accompanied by such documents, photographs, particulars and fees, as may be prescribed by the Council.

(2) Before registering an applicant, the Council may require the applicant to submit himself to a medical examination by a medical practitioner approved by the Council to determine if the applicant is fit to practise dentistry.

(3) The medical examination shall be at the applicant's own expense.

(4) Where a person has complied with subsection (1) and any requirement of the Council referred to in subsection (2), the Board shall, subject to subsection (5), register him as a dentist.

(5) The Council may refuse to register any applicant who, in the opinion of the Council —

- (a) is not a person entitled to be registered as a dentist in accordance with section 14;
- (b) is not of good reputation and character;
- (c) has had his registration as a dentist in any other country withdrawn, suspended or cancelled; or
- (d) is unfit to practise dentistry by reason of his physical or mental condition.

(6) Where the Council refuses to register an applicant, the Council shall by notice in writing inform the applicant of such refusal.

(7) Any person who is aggrieved by any refusal of the Council under subsection (5) may, within one month of the notice given under subsection (6), appeal to the Minister whose decision shall be final.

(8) For the purposes of subsection (1), the Council may prescribe different fees for different classes of applicants.

**Certificate of registration**

**16.** Where a person has been registered as a dentist, the Council shall issue to him a certificate of registration, and the Council may require that there be affixed to the certificate a photograph of that person or such other evidence of identity as the Council may direct.

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**Practising certificate**

**17.—**(1) Any registered dentist who desires to obtain a practising certificate shall apply to the Council in such form and manner as the Council may prescribe.

(2) The application shall be accompanied by the prescribed fee.

(3) A practising certificate shall be granted for a period not exceeding 2 years from the date of issue of the practising certificate.

(4) Any application for renewal of a practising certificate shall be made not later than one month before the expiration of the practising certificate and shall be made in such form as the Council may require.

(5) Any registered dentist who applies for a practising certificate later than one month before the expiration of the practising certificate shall be liable to pay to the Council such late application fee as may be prescribed by the Council.

(6) Whenever it appears to the satisfaction of the Council that a registered dentist is practising dentistry in such premises or under such conditions as are considered by the Council to be unsuitable for such practice, the Council may cancel the practising certificate.

(7) If any person whose practising certificate has been cancelled under subsection (6) applies to the Council in such form and pays such fee as may be prescribed, the Council may, after due consideration of the circumstances of the case, direct that a practising certificate be issued to him.

(8) Where a registered dentist has had his name removed from the register or his registration suspended under any provision of this Act, any practising certificate issued to him shall be deemed to be cancelled and the registered dentist shall forthwith surrender the certificate to the Council.

(9) Any person who fails to comply with subsection (8) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

(10) For the purposes of subsection (5), the Council may prescribe different late application fees for applications made before, and applications made after, the expiration of the practising certificates.

**Publication of list of registered dentists with practising certificates**

**18.**—(1) The Registrar shall, from time to time, prepare and publish in the *Gazette* a list of the names, addresses, qualifications and dates of qualifications of all registered dentists who have in force practising certificates, to be arranged in accordance to the divisions of the register in which their names appear.

(2) The Council may, if it thinks fit, direct the Registrar to prepare and publish for sale, at such intervals as the Council may direct, publications of the names, addresses, qualifications and dates of qualifications of all registered dentists who have in force practising certificates.

**Certificate of Registrar**

**19.** A certificate purporting to be under the hand of the Registrar to the effect that at any time or during any period specified in the certificate any person was or was not a registered dentist, or had or did not have in force a practising certificate, or as to any entry in the register, or the removal from the register of any entry, shall, in the absence of proof to the contrary, and without further proof of the signature appended to the certificate, be sufficient evidence of the matters specified therein.

**Correction of register**

**20.**—(1) The Registrar shall —

- (a) insert in the register any alteration which may come to his knowledge in the name or address of any registered dentist;
- (b) correct any error in any entry in the register;
- (c) remove from the register the name of any person —
  - (i) whose name is ordered to be removed under any provision of this Act; or
  - (ii) who is deceased; and
- (d) insert in the register any alteration in the qualifications or additional qualifications of a registered dentist.

(2) The Registrar may remove the name of any person who has not renewed his practising certificate for a continuous period of not less than 5 years and who has no address in Singapore at which he can be found.

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**Removal of name from register**

**21.**—(1) Notwithstanding the provisions of Part V, the Council may order the removal from the register of the name of a registered dentist if it comes to the knowledge of the Council that the registered dentist —

- (a) has contravened or failed to comply with any condition or restriction to which his registration as a dentist is subject;
- (b) being a person to whom section 32 applies, has contravened or failed to comply with any regulation made under that section;
- (c) has obtained his registration by a fraudulent or incorrect statement;
- (d) has had his registration as a dentist in any other country withdrawn, suspended or cancelled for any disciplinary reason; or
- (e) has failed to serve the Government, or such other body or organisation as may be directed by the Government, for such period as may be specified in any undertaking given by him to the Government.

(2) The Council shall, before exercising its powers under subsection (1), notify the registered dentist concerned of its intention to take such action and shall give the registered dentist an opportunity to submit reasons, within such period as the Council may determine, why his name should not be removed.

(3) Any person aggrieved by an order under subsection (1) may, within 30 days of being notified of the order, appeal to the Minister whose decision shall be final.

## PART IV

### PRACTICE OF DENTISTRY

**Prohibition of practice of dentistry except by registered dentist with practising certificate**

**22.**—(1) Subject to sections 59 to 61, no person shall practise dentistry in Singapore unless he is a registered dentist and has a practising certificate in force.



(2) Any person who acts in contravention of subsection (1) shall be guilty of an offence.

**Liability of employer, etc., for practice of dentistry in contravention of section 22**

**23.—**(1) Where an offence is committed under section 22 by any person acting as an employee, agent or partner of another person, that other person shall also be guilty of an offence.

(2) It shall be a defence to a charge brought under subsection (1) if the defendant proves that the first-mentioned offence was committed without the defendant's knowledge and that the defendant took reasonable precautions and exercised due diligence to prevent the commission of that offence.

**Liability of registered dentist for allowing another to act in contravention of section 22, etc.**

**24.—**(1) A registered dentist who allows a person to practise dentistry in contravention of section 22 on any premises used by or under the control of that registered dentist shall be guilty of an offence.

(2) A registered dentist who, by his presence, countenance, advice, assistance or co-operation has knowingly enabled a person, whether described as an assistant or otherwise, to practise dentistry in contravention of section 22 shall be guilty of an offence.

(3) In any proceedings for an offence under subsection (1) or (2), it shall be a defence for the defendant to prove that —

- (a) the commission of the offence was due to a mistake on his part or to reliance on information supplied to him or to the act of another person or some other cause beyond his control; and
- (b) he took all reasonable precautions and exercised due diligence to prevent the commission of the offence.

(4) A registered dentist who practises dentistry on any premises on which any person practises dentistry in contravention of section 22, knowing or having reason to believe that that person was practising dentistry on those premises in contravention of section 22, shall be guilty of an offence.

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**Suspended persons not to practise dentistry during period of suspension**

**25.**—(1) Any person whose registration as a dentist under this Act has been suspended under section 44 or 49 shall not practise dentistry during the period of his suspension.

(2) Any person who contravenes subsection (1) shall be guilty of an offence.

**Pretending to be or taking or using the name or title of dentist**

**26.**—(1) No person other than a registered dentist who has in force a practising certificate shall take or use the title of dentist, dental surgeon, registered dentist, qualified dentist, doctor of dental surgery, professor of dentistry, surgeon dentist, any title prescribed under section 31 (5) or any name, title, addition or description implying, whether in itself or in the circumstances in which it is used, that that person is qualified to heal or treat dental disorders or derangement, whether by dentistry or any other means of any kind or description whatsoever.

(2) Any person who contravenes subsection (1) shall be guilty of an offence.

**Fraudulent registration, etc.**

**27.** Any person who —

- (a) procures or attempts to procure registration as a dentist under this Act, a certificate of registration or a practising certificate, by knowingly making or producing or causing to be made or produced any false or fraudulent declaration, certificate, application or representation, whether in writing or otherwise;
- (b) wilfully makes or causes to be made any false entry in the register;
- (c) forges or alters a certificate of registration or a practising certificate;
- (d) fraudulently or dishonestly uses as genuine a certificate of registration or a practising certificate which he knows or has reason to believe is forged or altered; or

(e) buys, sells or fraudulently obtains a certificate of registration or a practising certificate,  
shall be guilty of an offence.

### **General penalty**

**28.** Any person who is guilty of an offence under section 22, 23, 24, 25, 26 or 27 shall be liable on conviction to a fine not exceeding \$25,000 and, in the case of a second or subsequent conviction for an offence under any of those sections, to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 6 months or to both.

### **Recovery of fees**

**29.—**(1) Subject to the provisions of this Act, no person shall be entitled to demand, claim, accept, receive, retain or sue for or recover any fee or charge in any court for the carrying out of any act within the practice of dentistry unless, at the time of carrying out the act, he was registered as a dentist under this Act and had a practising certificate in force.

(2) This section does not apply to any medical practitioner registered under the Medical Registration Act (Cap. 174).

### **Certificate of registration and practising certificate to be exhibited**

**30.—**(1) Every registered dentist who practises dentistry shall cause his certificate of registration and his practising certificate to be exhibited in a conspicuous part of the premises on which he practises dentistry.

(2) Any registered dentist who fails to comply with subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 and to a further fine not exceeding \$100 for every day or part thereof during which the offence continues after conviction.

(3) The Council may, by notification in the *Gazette*, exempt any person or group or description of persons from this section.

### **Use of qualification and title**

**31.—**(1) A registered dentist shall not use any qualification other than the qualifications which are entered in the register in respect of him, or which have been approved by the Council for his use.

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(2) A registered dentist whose name appears in the first division of the register shall not use any title, addition or designation other than —

- (a) the title, addition or designation which has been approved by the Council for his use; or
- (b) if his name has been entered in a list referred to in subsection (6) in respect of a title prescribed under subsection (5), the prescribed title.

(3) A registered dentist whose name appears in the second division of the register shall not use any title, addition or designation other than that of “registered dentist”, “dentist” or, if his name has been entered in a list referred to in subsection (6) in respect of a title prescribed under subsection (5), the prescribed title.

(4) Any registered dentist who contravenes subsection (1), (2) or (3) may be subject to disciplinary proceedings under Part V, and such contravention shall be deemed to be an act which brings disrepute to the profession of a registered dentist for the purposes of that Part.

(5) If the Council is of the opinion that any branch of dentistry has become so distinctive that it would be for the convenience of the public or of the dental profession that registered dentists qualified to practise, or practising, in that branch of dentistry should use a distinctive title, the Council may, with the approval of the Minister, make regulations to prescribe appropriate titles and conditions under which they may be used.

(6) In the case of any prescribed title, regulations may provide —

- (a) for a list to be kept by the Council of the names of registered dentists who are qualified under such regulations to use that title; and
- (b) for any registered dentist who is so qualified to be entitled to have his name entered in the list.

(7) For the purposes of this section, “use”, in relation to any qualification, title, addition or designation, includes to exhibit or publish the qualification, title, addition or designation in any card, letter, stationery, nameplate, signboard, placard, circular, handbill or any notice displayed by the registered dentist concerned at any premises used by him for the practice of dentistry.

**Certain registered dentists not to perform prescribed procedures**

**32.**—(1) The Council may, with the approval of the Minister, make regulations prohibiting a person to whom this section applies from performing such procedures within the practice of dentistry as are prescribed by those regulations.

(2) This section applies to any person deemed to be a registered dentist under section 65 (1) on the ground that —

- (a) he is registered under the repealed Act immediately before the date of commencement of this Act by virtue of section 6 (1) (e) of the repealed Act; or
- (b) he is the holder of a provisional certificate referred to in section 13 of the repealed Act which is in force immediately before the date of commencement of this Act.

**PART V****DISCIPLINARY PROCEEDINGS AND  
HEALTH COMMITTEE INQUIRIES***Division 1 — Complaints Committee***Complaint against registered dentist**

**33.**—(1) Any —

- (a) complaint made or information given to the Council of the conduct of a registered dentist in his professional capacity or of his improper act or conduct which brings disrepute to his profession;
- (b) information given to the Council on the conviction of a registered dentist of any offence involving fraud or dishonesty, or implying a defect in character which makes him unfit for his profession; or
- (c) information given to the Council touching upon the physical or mental fitness of a registered dentist to practise dentistry,

shall be in writing and shall be supported by such statutory declaration as the Council may require, except that no statutory declaration shall be required if the complaint or information is made or given by any public officer.

(2) The Council shall refer any complaint or information referred to in subsection (1), other than a complaint or information touching upon any matter set out in section 21 (1) (a) to (e), to a Complaints Committee.

(3) Where a registered dentist has been convicted in Singapore or elsewhere of an offence involving fraud or dishonesty, the Council shall, notwithstanding subsection (2), forthwith refer the matter to a Disciplinary Committee.

### **Appointment of Complaints Panel**

**34.**—(1) For the purpose of enabling Complaints Committees to be appointed in accordance with section 35, the Council shall appoint a panel (referred to in this Act as the Complaints Panel) consisting of —

(a) not less than 10 and not more than 20 registered dentists of at least 10 years' standing who are not members of the Council; and

(b) not less than 5 and not more than 10 lay persons.

(2) A member of the Complaints Panel shall be appointed for a term of 2 years and shall be eligible for reappointment.

(3) The Council may at any time remove from office any member of the Complaints Panel or fill any vacancy in its membership.

### **Appointment of Complaints Committee**

**35.**—(1) The President of the Council may from time to time appoint one or more committees comprising —

(a) a chairman who is a member of the Council;

(b) 2 members of the Complaints Panel who are registered dentists; and

(c) a member of the Complaints Panel who is a lay person, to be known as Complaints Committees, to inquire into any complaint or information referred to the Committees by the Council under section 33.

(2) A Complaints Committee shall be appointed in connection with one or more matters or for a fixed period of time, as the President of the Council may think fit.

(3) The President of the Council may at any time remove the chairman or any member of a Complaints Committee or fill any vacancy in a Complaints Committee.

(4) No act done by or under the authority of a Complaints Committee shall be invalid in consequence of any defect that is subsequently discovered in the appointment or qualification of the chairman or members or any of them.

(5) The chairman of a Complaints Committee shall, notwithstanding that he has ceased to be a member of the Council on the expiry of his term of office, continue to be the chairman of the Complaints Committee until such time as the Complaints Committee has completed its work.

(6) A member of a Complaints Committee shall, notwithstanding that he has ceased to be a member of the Complaints Panel on the expiry of his term of office, continue to be a member of the Complaints Committee until such time as the Complaints Committee has completed its work.

### **Proceedings of Complaints Committee**

**36.—**(1) A Complaints Committee may meet from time to time for the purposes of its inquiry and may regulate its own procedure.

(2) The chairman of a Complaints Committee may at any time summon a meeting of the Complaints Committee.

(3) The chairman and all the members of a Complaints Committee shall be present to constitute a quorum for a meeting of the Complaints Committee.

(4) Any resolution or decision in writing signed by the chairman and all the members of a Complaints Committee shall be as valid and effectual as if it had been made or reached at a meeting of the Complaints Committee where the chairman and all its members were present.

(5) Any question arising at a meeting of the Complaints Committee shall be determined by a majority of votes and, in the case of an equality of votes, the chairman shall have a casting vote.

(6) Where a Complaints Committee is of the opinion that a registered dentist should be called upon to answer any allegation made against him, the Complaints Committee shall serve on the registered dentist —

- (a) copies of any complaint or information and any statutory declaration or affidavit that have been made in support of the complaint or information; and
- (b) a notice inviting the registered dentist, within such period (not being less than 21 days) as may be specified in the notice, to give to the Complaints Committee any written explanation he may wish to offer.

(7) The registered dentist concerned shall not have the right to be heard by the Complaints Committee, whether in person or by counsel, unless the Complaints Committee in its absolute discretion otherwise allows.

(8) A Complaints Committee shall inquire into the complaint or information and complete its inquiry not later than 3 months from the date the complaint or information is laid before it.

(9) Where a Complaints Committee is of the opinion that it will not be able to complete its inquiry within the period specified in subsection (8) due to the complexity of the matter or serious difficulties encountered by the Committee in conducting its inquiry, the Committee may apply in writing to the President of the Council for an extension of time to complete its inquiry and the President may grant such extension of time to the Committee as he thinks fit.

(10) All information, including such book, document, paper or other records used by a Complaints Committee in the course of its deliberations, shall be confidential and shall not be disclosed to any person including the registered dentist unless the Complaints Committee in its discretion decides otherwise.

### **Powers of Complaints Committee**

**37.—**(1) For the purposes of any inquiry, a Complaints Committee may —

- (a) call upon or appoint any person the Committee considers necessary to assist it in its inquiry;



- (b) require any person to produce any book, document, paper or other record which may be related to or be connected with the subject-matter of the inquiry for inspection by the Complaints Committee or the person appointed under paragraph (a) and for making copies thereof; and
- (c) require any person to attend at a specified time and place and give evidence or produce any such book, document, paper or record.

(2) Any person who, without lawful excuse, refuses or fails to comply with any requirement of the Complaints Committee under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both and, in the case of a continuing offence, to a further fine not exceeding \$50 for every day or part thereof during which the offence continues after conviction.

(3) A Complaints Committee may seek such legal advice as it thinks necessary at any time before it makes its findings.

### **Findings of Complaints Committee**

**38.** Upon due inquiry into the complaint or matter, a Complaints Committee shall report its findings to the Council and recommend to the Council to do any of the following:

- (a) order that the registered dentist be issued with a letter of advice;
- (b) order that the registered dentist be warned;
- (c) order that the complaint or matter be dismissed;
- (d) order that an inquiry be held by the Health Committee;
- (e) order that an inquiry be held by a Disciplinary Committee;
- (f) make such other order as the Complaints Committee considers appropriate.

### **Decision of Council**

**39.—**(1) Upon receipt of the findings and recommendation of a Complaints Committee, the Council may either —

- (a) accept the recommendation and make the recommended order;
- (b) refer the matter back to the Complaints Committee for further inquiry; or

(c) make such other order as the Council thinks fit.

(2) The Council shall notify the registered dentist concerned and the person who made the complaint or gave the information, if any, of its decision.

(3) A registered dentist who is aggrieved by any order of the Council, being an order referred to in subsection (1) (c) or section 38 (a), (b) or (f), may, within 30 days of being notified of the determination of the Council, appeal to the Minister whose decision shall be final.

(4) Where the person who made the complaint or gave the information to the Council is dissatisfied with any order of the Council, being an order referred to in subsection (1) (c) or section 38 (a), (b), (c) or (f), he may, within 30 days of being notified of the determination of the Council, appeal to the Minister whose decision shall be final.

(5) The Minister may make —

- (a) an order affirming the decision of the Council;
- (b) an order directing an inquiry to be held by a Disciplinary Committee or by the Health Committee; or
- (c) such other order as he thinks fit.

### *Division 2 — Disciplinary Committee*

#### **Appointment of Disciplinary Committee**

**40.**—(1) The President of the Council may, from time to time, appoint one or more committees comprising not less than 4 members of the Council to be known as Disciplinary Committees to inquire into —

- (a) any complaint or matter in respect of which the Minister or the Council has under section 39 ordered that an inquiry be held by a Disciplinary Committee; or
- (b) any matter referred to it under section 33 (3).

(2) A Disciplinary Committee may be appointed in connection with one or more matters or for a fixed period of time, as the President of the Council may think fit.

(3) The chairman or a member of a Complaints Committee which inquired into a complaint or matter shall not be a member of a Disciplinary Committee inquiring into the same complaint or matter.

(4) The President of the Council shall appoint a member of a Disciplinary Committee to be the chairman of the Disciplinary Committee.

(5) The President of the Council may at any time revoke the appointment of any Disciplinary Committee or may remove any member of a Disciplinary Committee or fill any vacancy in a Disciplinary Committee.

(6) No act done by or under the authority of a Disciplinary Committee shall be invalid in consequence of any defect that is subsequently discovered in the appointment or qualification of the members or any of them.

(7) A member of a Disciplinary Committee shall, notwithstanding that he has ceased to be a member of the Council on the expiry of his term of office, continue to be a member of the Disciplinary Committee until such time the Disciplinary Committee has completed its work.

### **Observer**

**41.—**(1) The Council shall appoint an observer from a panel of lay persons nominated by the Minister to observe the proceedings of a Disciplinary Committee.

(2) The observer shall not vote on any question or matter to be decided by the Disciplinary Committee and need not be present at every meeting of the Disciplinary Committee.

### **Registered dentist to be notified of inquiry**

**42.—**(1) Before a Disciplinary Committee commences an inquiry into any complaint or matter referred to it, the Registrar shall serve on the registered dentist concerned a notice of inquiry in the prescribed form.

(2) An inquiry shall not be fixed on a date earlier than 28 days after the date of the notice of inquiry except with the agreement of the registered dentist.

(3) On application to the Disciplinary Committee, the registered dentist may request postponement of the inquiry, and the

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Disciplinary Committee may, in its discretion, grant the application and postpone the inquiry to such date as it may determine, or refuse the application.

### **Procedure of Disciplinary Committee**

**43.—**(1) A Disciplinary Committee shall meet at such times and places as its chairman may appoint.

(2) All the members of a Disciplinary Committee shall be personally present to constitute a quorum for a meeting of the Disciplinary Committee.

(3) All members of a Disciplinary Committee present at any meeting thereof shall vote on any question arising at the meeting and such question shall be determined by a majority of votes and, in the case of an equality of votes, the chairman shall have a casting vote.

(4) A Disciplinary Committee shall not be bound to act in any formal manner and shall not be bound by the provisions of the Evidence Act (Cap. 97) or by any other written law relating to evidence, but may inform itself on any matter in such manner as it thinks fit.

(5) A Disciplinary Committee may appoint an advocate and solicitor for the purpose of an inquiry and pay to the advocate and solicitor, as part of the expenses of the Council, such remuneration as the Council may determine.

(6) The registered dentist concerned may appear in an inquiry in person or be represented by counsel.

(7) If the registered dentist does not appear, the Disciplinary Committee may proceed with the inquiry after first satisfying itself that the notice of inquiry referred to in section 42 was duly served on him.

(8) A Disciplinary Committee may, for the purposes of its inquiry, administer an oath or affirmation to any person giving evidence before it, and any party to the proceedings may sue out writs of subpoena ad testificandum and of duces tecum.

(9) The writs referred to in subsection (8) shall be served and may be enforced as if they were writs issued in connection with a civil action in the High Court.

(10) Any person giving evidence before a Disciplinary Committee shall be legally bound to tell the truth.

(11) Persons giving evidence in an inquiry shall have the same privileges and immunities in relation to an inquiry as if it was a proceeding in a court of law.

(12) The hearing of an inquiry shall be in camera.

(13) A Disciplinary Committee shall carry out its work expeditiously and may apply to the Council for an extension of time and for directions to be given to the Disciplinary Committee if the Disciplinary Committee fails to make its finding and order within 6 months from the date of its appointment.

(14) When an application for an extension of time has been made under subsection (13), the Council may grant an extension of time for such period as it thinks fit.

(15) In sections 172, 173, 174, 175, 177, 179, 182 and 228 of the Penal Code (Cap. 224), “public servant” shall be deemed to include a member of a Disciplinary Committee holding an inquiry, and in sections 193 and 228 of the Penal Code, “judicial proceeding” shall be deemed to include such an inquiry.

### **Findings of Disciplinary Committee**

**44.—**(1) Where, upon due inquiry into a complaint or matter, a Disciplinary Committee is satisfied that the registered dentist concerned —

- (a) has been convicted in Singapore or elsewhere of any offence involving fraud or dishonesty;
- (b) has been convicted in Singapore or elsewhere of any offence implying a defect in character which makes him unfit for his profession;
- (c) has been guilty of such improper act or conduct which, in the opinion of the Disciplinary Committee, brings disrepute to his profession; or
- (d) has been guilty of professional misconduct,

the Disciplinary Committee may —

- (i) direct the Registrar to remove the name of the registered dentist from the register;

- (ii) suspend the registration of the registered dentist for a period of not more than 3 years;
- (iii) impose on the registered dentist a penalty not exceeding \$5,000;
- (iv) censure the registered dentist; or
- (v) make such other order as it thinks fit.

(2) Where the Disciplinary Committee is satisfied that the registered dentist has not been convicted or guilty of any of the matters referred to in subsection (1) (a) to (d), the Disciplinary Committee shall order that the complaint or matter be dismissed.

(3) The Registrar shall serve on the registered dentist concerned and the person who made the complaint or gave the information, if any, a notice of the order made by the Disciplinary Committee.

(4) Subject to subsection (5), an order referred to in subsection (1) shall not take effect until the expiration of 30 days after the order is made.

(5) On making an order referred to in subsection (1) (i) or (ii), the Disciplinary Committee, if satisfied that to remove the name of the registered dentist concerned from the register or to suspend his registration, as the case may be, is necessary for the protection of members of the public or would be in the best interests of the registered dentist, may order that the Registrar forthwith remove his name from the register or that his registration be suspended, as the case may be.

(6) An order under subsection (5) shall take effect from the time the order is made.

(7) While an order under subsection (1) (ii) remains in force, the person concerned shall not be regarded as being registered as a dentist for the purposes of this Act notwithstanding that his name still appears in the register.

### **Costs of inquiry**

**45.**—(1) Where, upon due inquiry into the complaint or matter, a Disciplinary Committee is satisfied that the registered dentist concerned has been convicted or guilty of any of the matters set out in section 44 (1) (a) to (d), the Disciplinary Committee may order the registered dentist to pay to the Council such sums as it thinks fit in

respect of costs and expenses of and incidental to the inquiry, and the High Court shall have jurisdiction to tax such sums.

(2) An order referred to in subsection (1) shall be enforceable as if it were ordered in connection with a civil action in the High Court.

(3) The Disciplinary Committee in ordering that costs be paid by the registered dentist may certify that costs for more than one solicitor be paid if it is satisfied that the issues involved in the proceedings are of sufficient complexity, and the certification by the Disciplinary Committee shall have the same effect as if it were a certification by a judge in a civil action in the High Court.

(4) The costs and expenses referred to in subsection (1) shall include —

- (a) the costs and expenses of any advocate and solicitor appointed under section 43 (5), and the costs and expenses of an assessor referred to in section 57, in respect of the inquiry;
- (b) such reasonable expenses as the Council may pay to witnesses; and
- (c) such reasonable expenses as are necessary for the conduct of the inquiry.

### **Reference and transfer of cases to Health Committee**

**46.—**(1) Where, in the course of its inquiry, it appears to a Disciplinary Committee that the fitness of the registered dentist concerned to practise dentistry may be impaired by reason of his physical or mental condition, the Disciplinary Committee may refer that question to the Health Committee for determination.

(2) If, on a reference under this section, the Health Committee determines that the fitness of the registered dentist to practise dentistry is not impaired by reason of his condition, the Health Committee shall certify its opinion to the Disciplinary Committee.

(3) If, on a reference under this section, the Health Committee determines that the fitness of the registered dentist to practise dentistry is impaired by reason of his condition, the Health Committee shall certify its opinion to the Disciplinary Committee and shall proceed to dispose of the case in accordance with Division 3.

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**Appeal against order by Disciplinary Committee**

**47.**—(1) Any person aggrieved by a decision of the Disciplinary Committee referred to in section 44 (1) or (2) may, within 30 days after the service on him of the notice of the order, appeal to the High Court against the order.

(2) There shall be no appeal from the decision of the High Court.

(3) In any appeal to the High Court against a decision referred to in section 44 (1) or (2), the High Court shall accept as final and conclusive any finding of the Disciplinary Committee relating to any issue of ethics or standards of professional conduct unless such finding is in the opinion of the High Court unsafe, unreasonable or contrary to the evidence.

(4) Notwithstanding anything in section 44, where a person has appealed to the High Court against an order referred to in section 44 (1), the order shall not take effect unless the order is confirmed by the High Court or the appeal is for any reason dismissed by the High Court or withdrawn.

*Division 3 — Health Committee*

**Health Committee**

**48.**—(1) There shall be a committee to be known as the Health Committee comprising not less than 3 members of the Council, to be appointed by the President of the Council, which shall inquire into any case referred to it under section 39 (1) or (5) or 46 (1).

(2) The President of the Council shall appoint one of the members of the Health Committee as the chairman of the Committee.

(3) A member of the Health Committee shall be appointed for a term of 2 years and shall be eligible for reappointment.

(4) A member of the Health Committee shall, notwithstanding that he has ceased to be a member of the Council on the expiry of his term of office, continue to be a member of the Committee until such time as the Committee has completed its work.

(5) Sections 35 (3), 40 (4), (6) and (7), 41, 42 and 43 (1) to (4) and (6) to (15) shall apply, with the necessary modifications, to the Health Committee and to any inquiry by the Health Committee.



(6) The Council may, with the approval of the Minister, appoint medical assessors to assist the Health Committee in its inquiry, and pay to the medical assessors, as part of the expenses of the Council, such remuneration as the Council may determine

**Unfitness to practise through illness, etc.**

**49.**—(1) Where the fitness of a registered dentist to practise dentistry is judged by the Health Committee to be impaired by reason of his physical or mental condition, the Health Committee may exercise one or more of the following powers:

- (a) order that he pays to the Council costs and expenses of and incidental to any inquiry or hearing by the Health Committee;
- (b) order that his registration as a dentist be suspended for such period not exceeding 12 months as may be specified in the order;
- (c) order that his registration as a dentist be conditional on his compliance, during such period not exceeding 3 years as may be specified in the order, with such requirements as may be imposed by the Health Committee for the protection of members of the public or in his interests (referred to in this Division as restricted registration); and
- (d) recommend to the Council that his name be removed from the register.

(2) Where a registered dentist in respect of whom an order for restricted registration is made under subsection (1) (c) by the Health Committee is judged by the Health Committee to have failed to comply with any of the requirements imposed on him as conditions of his registration, the Health Committee may, if it thinks fit, order that his registration be suspended for such period not exceeding 12 months as may be specified in the order.

(3) Where the Health Committee has made an order for suspension under subsection (1) or (2), the Health Committee may order that the registration of the person whose registration is suspended shall, as from the expiry of the current period of suspension, be a restricted registration.

(4) Where the Health Committee has made an order for restricted registration, the Health Committee may revoke the order or revoke or vary any of the conditions imposed by the order.

(5) Subsection (2) shall apply to a registered dentist whose registration is a restricted registration by virtue of an order made under subsection (3) as it applies to a registered dentist whose registration is a restricted registration by virtue of an order referred to in subsection (1) (c), and subsection (4) shall apply accordingly.

(6) Where the Health Committee has made any order under this section, or has varied the conditions imposed by an order for restricted registration, the Registrar shall forthwith serve on the person to whom the order applies a notice of the order or of the variation.

(7) While a person's registration is suspended by virtue of this section, he shall not be regarded as being registered as a dentist notwithstanding that his name still appears in the register.

(8) Where the Council accepts the recommendation of the Health Committee under subsection (1) (d), the Council shall —

- (a) order that the name of the registered dentist be removed from the register from the date of the making of the order; and
- (b) direct the Registrar to forthwith serve on him a notice of the order.

(9) Any person who is aggrieved by an order, or any variation of the conditions imposed by an order for restricted registration, made under this section may, within 21 days of the service on him of the notification of the order, appeal to the Minister whose decision shall be final.

(10) Any order or any variation of the conditions imposed by an order for restricted registration shall take effect from the time the order or variation is made unless the Minister decides otherwise.

#### *Division 4 — Miscellaneous Provisions*

#### **Where Council member is in public service**

**50.** A member of the Council who is in the public service shall not be disqualified from being the chairman or a member of a Complaints Committee or a member of a Disciplinary Committee or the Health Committee by reason only that he, or the person who made the complaint or gave the information leading to the proceeding in question, is in the public service.

**Service of documents**

**51.** Any notice, order or document required or authorised to be served under this Part shall be deemed to be sufficiently served —

- (a) by delivering a copy thereof personally or by leaving it with some adult person at the last known place of abode or business of the person on whom it is to be served; or
- (b) by sending it by registered post addressed to the person on whom the notice is to be served at his last known place of abode or business.

**Conviction final and conclusive**

**52.** In any proceedings under this Part in relation to the conviction of a registered dentist for a criminal offence, the Minister, the Council, a Complaints Committee, a Disciplinary Committee, and the High Court on appeal from any order of a Disciplinary Committee, shall accept his conviction as final and conclusive.

**Restoration of names to register**

**53.—**(1) A person whose name has been removed from the register under this Part may apply to the Council for his name to be restored to the register.

(2) The Council may, after considering all relevant circumstances, and upon the compliance by the applicant of all conditions imposed by the Council, if any, and the payment of the prescribed fee, restore his name to the register.

(3) Where the name of a person has been removed from the register by a Disciplinary Committee, no application for the restoration of his name to the register shall be made to the Council —

- (a) before the expiration of 3 years from the date of the removal; or
- (b) more than once in any period of 12 months.

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**PART VI****GENERAL****Funds of Council**

**54.**—(1) All fees, penalties and other moneys payable under this Act or any regulations made thereunder shall be paid to the Council and any fee, penalty or other moneys not paid shall be recoverable by the Council as a debt due to the Council.

(2) All moneys received by the Council or the Registrar shall be paid into the funds of the Council.

(3) The costs and expenses of and incidental to the performance of the functions of the Council, the Complaints Committees, the Disciplinary Committees, the Health Committee and any committee appointed by the Council under this Act shall be paid by the Council out of its funds.

(4) The Minister may pay into the funds of the Council such sum of money out of moneys to be provided by Parliament as the Minister may determine.

(5) The Council shall keep full and proper accounts of all moneys received and expended by it and the accounts shall be audited by an auditor or auditors approved by the Minister.

**Fees payable for members of Council and members of committees**

**55.** There shall be paid to —

- (a) the members of the Council; and
- (b) the members of any committee appointed by the Council or by the President of the Council,

who are not public officers or full-time members of the academic staff of the National University of Singapore such fees as may, from time to time, be approved by the Minister.

**Inspectors**

**56.**—(1) The Council may appoint one or more public officers as inspectors to investigate the commission of an offence under this Act or any regulations made thereunder.

(2) In any case relating to the commission of an offence under this Act or any regulations made thereunder, an inspector shall have the power to do all or any of the following:

- (a) to require any person who the inspector has reason to believe has any article, document or information relevant to the carrying out of the provisions of this Act or the regulations made thereunder, to produce any such article or document, or give such information, and to retain such article or document, or make copies of such document;
- (b) to examine orally any person supposed to be acquainted with the facts and circumstances relevant to the carrying out of the provisions of this Act or the regulations made thereunder, and to reduce into writing the answer given or statement made by that person who shall be bound to state truly the facts and circumstances with which he is acquainted, and the statement made by that person shall be read over to him and shall, after correction, be signed by him;
- (c) to require by order in writing the attendance before him of any person who, from information given or otherwise, appears to be acquainted with facts and circumstances relevant to the carrying out of the provisions of this Act or the regulations made thereunder.

(3) An inspector may apply to a Magistrate for a search warrant if the inspector has reasonable cause to believe that evidence of the commission of an offence under this Act or any regulations made thereunder can be found therein; and the Magistrate may, if satisfied that there are reasonable grounds for doing so, issue the warrant.

(4) A search warrant issued under subsection (3) authorises the inspector to whom it is directed to enter and search the premises referred to in the warrant and to seize any thing found on the premises which he reasonably believes is evidence of the commission of an offence under this Act or any regulations made thereunder.

(5) Any person who —

- (a) intentionally offers any resistance to or wilfully delays an inspector in the exercise of any power under subsection (2) or in pursuance of a search warrant issued under subsection (3); or

- (b) fails to comply with any requisition or order of an inspector under subsection (2),

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

### **Assessor to Council**

**57.—**(1) For the purposes of advising the Council, the Complaints Committees, the Disciplinary Committees and the Health Committee in any proceedings before any of them under the provisions of this Act, the Council may appoint an assessor to the Council who shall be an advocate and solicitor of not less than 10 years' standing.

(2) The assessor shall not participate or sit in any deliberations of the Council, the Complaints Committees, the Disciplinary Committees or the Health Committee unless invited to do so, and his participation shall be limited only to questions of law arising from the proceedings.

(3) The Council may pay to the assessor, as part of the expenses of the Council, such remuneration as the Council may determine.

### **No action against Council, etc., in absence of bad faith**

**58.** No action or legal proceedings shall lie against the Council, a Complaints Committee, a Disciplinary Committee, the Health Committee or any committee appointed by the Council, or any member or employee thereof, for any act or thing done under this Act or any regulations made thereunder unless it is proved to the court that the act or thing was done in bad faith or with malice.

### **Exemption in respect of persons in public service and prescribed companies or organisations**

**59.—**(1) Nothing in this Act prevents —

- (a) the carrying out of any act which comes within the practice of dentistry by a person in the public service if the act is carried out —
  - (i) in the course of the person's duties in the public service; and

- (ii) under the supervision of a registered dentist whose name appears in the first division of the register; or
- (b) the carrying out of any act which comes within the practice of dentistry by a person employed by a company or other organisation prescribed under subsection (2) if the act is carried out —
  - (i) in the course of the person's employment in such company or organisation; and
  - (ii) under the supervision of a registered dentist whose name appears in the first division of the register.

(2) The Minister may, by notification in the *Gazette*, prescribe companies and organisations for the purposes of subsection (1).

### **Exemption in respect of medical practitioners**

**60.** Nothing in this Act prevents the practice of medicine or surgery by any medical practitioner registered under the Medical Registration Act (Cap. 174).

### **Exemption in respect of dental training**

**61.** Nothing in this Act prevents the doing of any act within the practice of dentistry by any dental or medical student if the act is carried out —

- (a) in the course of his training;
- (b) under the supervision of a registered dentist whose name appears in the first division of the register; and
- (c) in a hospital or dental school approved for the purposes of this section by the Council.

### **Power of Council to make regulations**

**62.—(1)** Subject to the provisions of this Act, the Council may, with the approval of the Minister, make such regulations as may be necessary or expedient to give effect to the provisions and purposes of this Act and for the due administration thereof.

(2) Without prejudice to the generality of subsection (1), regulations may be made to —

- (a) provide for the duties of the Registrar;
- (b) regulate the registration of dentists;

- (c) provide for the form of the register and the mode in which it shall be kept;
- (d) regulate the grant of practising certificates;
- (e) regulate the procedure of any committee appointed by the Council or the President of the Council under this Act and the conduct of any proceedings of such committee;
- (f) regulate the professional practice, etiquette, conduct and discipline of registered dentists;
- (g) regulate the removal and restoration of names in the register;
- (h) prescribe the forms necessary for the administration of this Act;
- (i) prescribe the fees and other charges for the purposes of this Act;
- (j) provide for the duties, functions and payment of medical assessors appointed under section 48 and the assessor appointed under section 57;
- (k) provide that any person who contravenes the regulations shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both; and
- (l) prescribe such other matter as are necessary or authorised to be prescribed under this Act.

## PART VII

### REPEAL, TRANSITIONAL AND CONSEQUENTIAL AMENDMENTS

#### **Repeal**

**63.** The Dentists Act (Cap. 76) is repealed.

#### **Dental Board members to serve as Council members until establishment of Council**

**64.—(1)** Notwithstanding section 3, persons who hold office as members of the Dental Board immediately before the date of commencement of this Act shall hold office as members of the Council until such time as the Council is established in accordance with section 3.



(2) For the purposes of this section and section 67, “Dental Board” means the Dental Board established under section 3 of the repealed Act.

**Persons who are already registered under repealed Act**

**65.**—(1) Every person who is registered under the repealed Act immediately before the date of commencement of this Act, and every holder of a provisional certificate issued under section 13 of the repealed Act which is in force immediately before that date, shall be deemed to be a registered dentist.

(2) Where the registration of a person under the repealed Act, being a registration made pursuant to an order under section 6 (1) (c) of that Act, is subject to any condition or restriction imposed by the order, the deemed registration of that person under subsection (1) shall, unless the Council otherwise determines, be subject to the same condition or restriction.

(3) The deemed registration of a person under subsection (1), on the ground that he is registered under the repealed Act immediately before the date of commencement of this Act by virtue of section 6 (1) (d) of the repealed Act, shall be subject to the condition that —

- (a) he is exclusively employed in teaching, research or postgraduate study; and
- (b) he does not engage in any form of private practice of dentistry.

(4) The Registrar shall —

- (a) transfer to the first division of the register the names, addresses, qualifications and other particulars of all persons registered under the repealed Act by virtue of section 6 (1) (a), (b), (c) and (d) of the repealed Act which appear, immediately before the date of commencement of this Act, in the register kept under the repealed Act;
- (b) transfer to the second division of the register the names, addresses, qualifications and other particulars of all persons registered under the repealed Act by virtue of section 6 (1) (e) and (f) of the repealed Act which appear, immediately before the date of commencement of this Act, in the register kept under the repealed Act; and

- (c) enter in the second division of the register the names, addresses, qualifications, and such other particulars as the Council may determine, of all holders of provisional certificates issued under section 13 of the repealed Act which are in force immediately before the date of commencement of this Act.

(5) The Registrar may, in carrying out the transfer under subsection (4) (a) or (b) or entry under subsection (4) (c), omit the particulars of any person known to the Registrar to be deceased.

(6) Section 53 shall also apply to any person whose name was removed from the register kept under the repealed Act.

### **Saving of certificates of registration and annual practising certificates issued under repealed Act**

**66.**—(1) Any certificate of registration issued under the repealed Act shall be deemed to be a certificate of registration issued under this Act and be subject to the provisions of this Act.

(2) Any annual practising certificate issued under the repealed Act which is in force immediately before the date of commencement of this Act shall —

- (a) be deemed to be a practising certificate issued under this Act;
- (b) be subject to the provisions of this Act; and
- (c) expire on the date on which it would have expired had this Act not been in force and be renewable in accordance with section 17.

### **Pending disciplinary proceedings**

**67.**—(1) This Act shall not apply to any inquiry, investigation or other proceedings of a disciplinary nature commenced before the date of commencement of this Act and the provisions of the repealed Act and the regulations made thereunder shall continue to apply to that inquiry, investigation or proceedings as if this Act had not been enacted.

(2) For the purposes of subsection (1), the Dental Board shall continue to exist to complete its hearing of those proceedings and make such order or decision as it could have made under the repealed Act and the regulations made thereunder.

(3) Any order or decision made by the Dental Board pursuant to the provisions of the repealed Act or the regulations made thereunder shall be treated as an order or decision under this Act and shall have the same force and effect as if it had been made or given by the Disciplinary Committee pursuant to the powers vested in the Disciplinary Committee under this Act.

(4) Nothing in this section shall be taken as prejudicing section 16 of the Interpretation Act (Cap. 1).

### **Further transitional provisions**

**68.** The Minister may by regulations make such further transitional provisions as he considers necessary or expedient.

### **Consequential amendments to other written laws**

**69.—**(1) Subject to subsection (2), in any written law and in any document —

- (a) any reference to the repealed Act shall be construed as a reference to this Act;
- (b) any reference to the Dental Board shall be construed as a reference to the Council;
- (c) any reference to the President of the Dental Board shall be construed as a reference to the President of the Council; and
- (d) any reference to a registered dentist shall be construed as a reference to a registered dentist under this Act.

(2) Section 2 of the Radiation Protection Act (Cap. 262) is amended by deleting the definition of “registered dentist” and substituting the following definition:

“ “registered dentist” means a person whose name appears in the first division of the register kept under section 13 of the Dentists Act 1999;”.

## THE SCHEDULE

Section 14

## QUALIFICATIONS

<i>First column</i>	<i>Second column</i>	<i>Third column</i>
Country or Territory	University	Degree
AUSTRALIA		
New South Wales	University of Sydney	B.D.S.
Queensland	University of Queensland	B.D.Sc.
South Australia	University of Adelaide	B.D.S.
Victoria	University of Melbourne	B.D.Sc.
Western Australia	University of Western Australia	B.D.Sc.
CANADA		
British Columbia	University of British Columbia	D.M.D.
Ontario	University of Toronto	D.D.S.
Quebec	McGill University	D.D.S.
HONG KONG SPECIAL ADMINISTRATIVE REGION OF THE PEOPLE'S REPUBLIC OF CHINA	University of Hong Kong	B.D.S.
NEW ZEALAND	University of Otago	B.D.S.
REPUBLIC OF IRELAND	National University of Ireland	B.D.S.
	University of Dublin	B.Dent.Sc.
UNITED KINGDOM		
England	University of Birmingham	B.D.S.
	University of Bristol	B.D.S.
	University of Leeds	B.Ch.D.
	University of Liverpool	B.D.S.
	University of London	B.D.S.
	University of Manchester	B.D.S.
	University of Newcastle Upon Tyne	B.D.S.

THE SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>	<i>Third column</i>
Country or Territory	University	Degree
	University of Sheffield	B.D.S.
Northern Ireland	Queen's University of Belfast	B.D.S.
Scotland	University of Dundee	B.D.S.
	University of Edinburgh	B.D.S.
	University of Glasgow	B.D.S.
Wales	University of Wales	B.D.S.
UNITED STATES OF AMERICA		
California	Loma Linda University	D.D.S.
	University of California, Los Angeles	D.D.S.
	University of Southern California	D.D.S.
Illinois	Northwestern University	D.D.S.
Indiana	Indiana University	D.D.S.
Iowa	University of Iowa	D.D.S.
Michigan	University of Michigan	D.D.S.
Ohio	Ohio State University	D.D.S.
Washington	University of Washington	D.D.S.