

Dentists (Amendment) Bill

Bill No. 9/2007.

Read the first time on 27th February 2007.

A BILL

intituled

An Act to amend the Dentists Act (Chapter 76 of the 2000 Revised Edition) and to make consequential amendments to certain other written laws.

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

Short title and commencement

1. This Act may be cited as the Dentists (Amendment) Act 2007 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

5 Amendment of section 1

2. Section 1 of the Dentists Act is amended by deleting the words “Dentists Act” and substituting the words “Dental Registration Act”.

Amendment of section 2

3. Section 2 of the Dentists Act is amended —

10 (a) by inserting, immediately before the definition of “Board”, the following definition:

“ “appropriate register” means any of the registers referred to in section 13(1), as appropriate;”;

15 (b) by inserting, immediately after the words “section 16” in the definition of “certificate of registration”, the words “or 21D”;

(c) by deleting the definitions of “Complaints Committee” and “Council” and substituting the following definitions:

“ “Chief Dental Officer” means the Chief Dental Officer of the Ministry of Health;

20 “Council” means the Singapore Dental Council established under section 3(1);”;

(d) by deleting the words “section 40” in the definition of “Disciplinary Committee” and substituting the words “section 37”;

25 (e) by inserting, immediately after the definition of “Disciplinary Committee”, the following definition:

“ “healthcare professional” includes a medical practitioner, a dentist, a nurse, a midwife, a pharmacist, a Traditional Chinese Medicine practitioner and any other person who is licensed to provide any other healthcare services in Singapore;”;

30 (f) by deleting the definition of “practice of dentistry” and substituting the following definition:

““practice of dentistry” includes —

- 5 (a) the performance of any procedure and the treatment of any disease, deficiency, deformity, malposition or lesion on or of the human teeth or jaws or associated structures, whether intraorally or extraorally;
- (b) the performance of radiographic work in connection with the human teeth or jaws or associated structures;
- 10 (c) the administration of an anaesthetic agent in connection with any procedure on the human teeth or jaws or associated structures;
- (d) the performance of any procedure 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 dental appliances; and
- 15 (e) the performance of any such procedure and the giving of any such treatment, advice or attendance as is usually performed or given by dentists;”;
- (g) by inserting, immediately after the words “section 17” in the definition of “practising certificate”, the words “or 21E”;
- (h) by deleting the definition of “register”;
- 25 (i) by inserting, immediately after the definition of “registered dentist”, the following definition:
- “ “registered oral health therapist” means a person registered as an oral health therapist under section 21A;”;
- (j) by deleting the words “appointed under section 12” in the definition of “Registrar” and substituting the words “of the Council”; and
- 30 (k) by deleting the full-stop at the end of the definition of “repealed Act” and substituting a semi-colon, and by inserting immediately thereafter the following definition:

““Singapore degree” means a degree or diploma in dentistry from the University of Singapore or the National University of Singapore.”.

Amendment of section 3

5 **4.** Section 3 of the Dentists Act is amended —

(a) by deleting subsections (2) and (3) and substituting the following subsection:

“(2) The Council shall consist of —

- (a) the Chief Dental Officer;
- 10 (b) the Dean of the Faculty of Dentistry of the National University of Singapore;
- (c) 3 registered dentists, to be appointed by the Minister, whose names appear in the first division of the Register of Dentists and who are practising in Singapore;
- 15 (d) one registered dentist, to be appointed by the Minister, whose name appears in the second division of the Register of Dentists and who is practising in Singapore;
- 20 (e) at least one but not more than 3 registered oral health therapists, to be appointed by the Minister, whose names appear in the Register of Oral Health Therapists and who are practising in Singapore; and
- 25 (f) 5 members to be elected by registered dentists whose names appear in the first division of the Register of Dentists and who are practising in Singapore.”;

(b) by deleting the word “register” in subsection (4) and substituting the words “Register of Dentists”; and

30 (c) by deleting the words “subsection (2)(a)” in subsection (6) and substituting the words “subsection (2)(c), (d) or (e)”.

Amendment of section 4

5. Section 4 of the Dentists Act is amended —

(a) by deleting the word “and” at the end of paragraph (e); and

(b) by inserting, immediately after paragraph (e), the following paragraph:

“(ea) to provide administrative services to other statutory boards responsible for the regulation of healthcare professionals; and”.

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Repeal and re-enactment of section 5

6. Section 5 of the Dentists Act is repealed and the following section substituted therefor:

“Compulsory voting

10 5.—(1) Every fully registered dentist whose name appears in the first division of the Register of Dentists and who —

(a) is resident in Singapore; and

(b) has in force a practising certificate on the day of election of candidates as members of the Council referred to in section 3(2)(f),

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shall vote for the election of such members at such time and in such manner as may be prescribed.

(2) Where a fully registered dentist whose name appears in the first division of the Register of Dentists is required to vote for the election of the members of the Council under subsection (1) and fails to do so, he shall not be entitled to apply for a practising certificate unless he —

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(a) satisfies the Registrar that he had a good and sufficient reason for not voting at the election; or

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(b) pays to the Council a penalty as prescribed by the Council.”.

Amendment of section 8

7. Section 8 of the Dentists Act is amended —

(a) by deleting the words “section 3(2)(a)” in subsection (1)(f) and substituting the words “section 3(2)(c), (d) or (e)”; and

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(b) by inserting, immediately after subsection (5), the following subsection:

“(5A) Any person elected or appointed to fill the vacancy shall hold office for the remainder of the term for which the vacating member was elected or appointed.”.

Amendment of section 9

- 5 **8.** Section 9(3) of the Dentists Act is amended by deleting the words “4 members” and substituting the words “5 members”.

Deletion and substitution of heading to Part III

9. Part III of the Dentists Act is amended by deleting the Part heading and substituting the following Part heading:

10 “DENTAL REGISTERS”.

Insertion of Division heading

10. Part III of the Dentists Act is amended by inserting, immediately before section 12, the following Division heading:

“*Division 1 — General*”.

15 **Amendment of section 12**

11. Section 12 of the Dentists Act is amended by deleting subsection (1) and substituting the following subsections:

“(1) For the purposes of this Act, there shall be a Registrar of the Council.

20 (1A) The Chief Dental Officer shall be the Registrar of the Council.”.

Repeal and re-enactment of sections 13 and 14, insertion of Division heading and new sections 14A, 14B and 14C

25 **12.** Sections 13 and 14 of the Dentists Act are repealed and the following sections and Division heading substituted therefor:

“**Registers**

13.—(1) The Registrar shall maintain and keep the following registers:

- (a) a register to be called the “Register of Dentists” containing —
- (i) in the first division of the register —
 - (A) under Part I, the names of persons registered as fully registered dentists under section 14(1) and (2);
 - (B) under Part II, the names of persons registered as dentists with conditional registration under section 14A(1); and
 - (C) all the particulars which are transferred to or entered in that division under section 40(6)(a) of the Dentists (Amendment) Act 2007; and
 - (ii) in the second division of the register, all the names, addresses, qualifications and other particulars which are transferred to or entered in that division under section 40(6)(b) of the Dentists (Amendment) Act 2007;
- (b) a register to be called the “Register of Temporarily Registered Dentists” containing —
- (i) the names of persons registered temporarily as dentists under section 14B(1); and
 - (ii) all the names, addresses, qualifications and other particulars which are transferred to or entered in the first division of the register under section 40(6)(c) of the Dentists (Amendment) Act 2007;
- (c) a register to be called the “Register of Specialists” containing the names of persons registered as specialists under section 14C(1); and
- (d) a register to be called the “Register of Oral Health Therapists” containing —
- (i) under Part I, the names of persons registered as oral health therapists under section 21A(1); and
 - (ii) under Part II, the names of persons registered as oral health therapists under section 21A(2).

(2) Each register shall contain —

- (a) the names and addresses of the persons registered;
- (b) the dates of the registration of the persons;
- (c) the qualifications by virtue of which the persons are so registered; and
- (d) such other particulars as the Council may determine for that register.

(3) The Registrar shall —

- (a) be responsible for the maintenance and custody of the registers; and
- (b) publish on the Council's Internet website a list of the names, addresses, qualifications and dates of qualification of all dentists and oral health therapists who —
 - (i) are registered under this Act; and
 - (ii) have in force practising certificates.

(4) Every person whose name is entered in any of the registers shall inform the Registrar in writing of any change in his practice address or residential address within 28 days thereof, except that 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 this subsection on the date on which he makes the report.

(5) The Registrar may disclose any information in the registers to any person prescribed by regulations made under this Act, if such disclosure is in accordance with such conditions as may be specified in those regulations.

(6) Subsection (5) is without prejudice to any other right or duty to disclose the information under general or written law.

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

*Division 2 — Registration of dentists***Full registration**

14.—(1) Subject to the provisions of this Act, any person who holds a Singapore degree shall be entitled to be registered as a fully registered dentist.

(2) Notwithstanding subsection (1), a person, not being a Singapore degree holder, who holds such qualifications as may be recognised by the Council, and satisfies the Council that he has special knowledge and skill and sufficient experience in any particular branch of dentistry shall, if the Council thinks fit so to direct, be registered as a fully registered dentist.

(3) Notwithstanding subsections (1) and (2), the Council may, if it is of the view that it is not in the public interest for a person referred to in either of those subsections to be registered as a fully registered dentist, direct that he be registered as a dentist with conditional registration in the Register of Dentists, and section 14A(3) to (7) shall apply accordingly.

Conditional registration

14A.—(1) Subject to the provisions of this Act, any person who —

- (a) holds a degree from a university specified in the Schedule or any other degree which is, in the opinion of the Council, not lower in standing than a degree specified in that Schedule;
- (b) has been selected for employment in Singapore as a dentist in any hospital or other institution or dental practice approved by the Council; and
- (c) satisfies the Council that he has the knowledge and skill and has acquired the experience which is necessary for practice as a dentist,

shall, if the Council thinks fit so to direct, be registered as a dentist with conditional registration in the Register of Dentists.

(2) The Council may require a person with a degree, other than a degree specified in the Schedule, to undergo and pass an examination conducted or arranged by the Council or by such other person as the

Council may appoint to satisfy itself that the degree is not lower in standing than a degree specified in the Schedule.

(3) The conditions of a person's registration under this section shall be specified in the direction by virtue of which he is registered.

5 (4) Without prejudice to the power of the Council to impose conditions, the direction may specify —

(a) that the person shall work for a specified period under the supervision of a fully registered dentist approved by the Council; and

10 (b) the particular employment or the descriptions of employment for the purposes of which he is registered under this section.

(5) The Council may cancel the conditional registration of a dentist if —

15 (a) the dentist has contravened any condition specified in the direction by virtue of which he is registered; or

(b) the Council is of the opinion, having regard to the report of the dentist supervising him, if any, that he is unable to perform the duties of a dentist satisfactorily.

20 (6) A person who is or has been registered with conditional registration may, after the expiration of the period of supervision specified under subsection (4)(a), apply to the Council to be registered as a fully registered dentist.

25 (7) If the Council thinks fit so to direct, having regard to the knowledge and skill shown and the experience acquired by the applicant, he shall be registered under section 14(1) as a fully registered dentist.

30 (8) On a dentist with conditional registration becoming registered otherwise than conditionally or on his registration being cancelled under subsection (5), his name shall be removed from Part II of the Register of Dentists.

Temporary registration

14B.—(1) Subject to the provisions of this Act, any person who has a degree other than a Singapore degree and —

- (a) who is in Singapore for the purpose of teaching, research or postgraduate study in dentistry under such training scheme as may be approved by the Council for that purpose;
- 5 (b) who possesses dental knowledge, experience and skill which the Council considers to be of international standing or are such as to have special value to the people of Singapore; or
- 10 (c) who is not otherwise entitled to be registered as a dentist under this Act but who, in the opinion of the Council, possesses other qualifications which are adequate for the purposes of registration under this Act,

may be registered temporarily in such dental capacity and for such period as the Council may specify.

15 (2) Any registration under subsection (1) shall be for a period not exceeding 3 years which may be renewed, at the discretion of the Council, for such further period as the Council thinks fit.

(3) A person may be registered under subsection (1) subject to such conditions and restrictions as the Council may impose.

Registration of specialists

20 **14C.**—(1) Subject to the provisions of this Act, any person who —

- (a) holds such postgraduate degrees or qualifications;
- (b) has gained such special knowledge of and skill and experience in any particular branch of dentistry; or
- (c) has both such postgraduate degrees or qualifications and experience,

25 as the Council may approve, may apply to the Council to be registered as a specialist in that branch of dentistry.

(2) The Council shall not register any person under subsection (1) as a specialist unless the person has obtained a certificate from the Dental Specialists Accreditation Board under section 32B.

30 (3) The Council may, with the approval of the Minister, make regulations for any or all of the following purposes:

- (a) providing for the registration of specialists in any branch of dentistry;

- (b) regulating the recording in, removal from and restoration to the Register of Specialists of the names, particulars and qualifications of persons so registered;
- 5 (c) providing for appeals by dentists against any refusal of the Council to register them in the Register of Specialists or to restore their names to that Register or against any decision of the Council to remove their names from that Register;
- (d) prescribing the fees payable in respect of —
 - 10 (i) any application for registration as a specialist;
 - (ii) any such registration as a specialist;
 - (iii) any restoration of names to the Register of Specialists; and
 - (iv) any appeal.”.

Amendment of section 15

- 15 **13.** Section 15(5) of the Dentists Act is amended by inserting, immediately after the words “section 14” in paragraph (a), the words “, 14A or 14B”.

Amendment of section 17

- 20 **14.** Section 17 of the Dentists Act is amended by deleting subsections (6) and (7) and substituting the following subsection:

“(6) The Council may —

- (a) refuse to grant a practising certificate to a registered dentist; or
- 25 (b) refuse to renew the practising certificate of a registered dentist,

if the registered dentist has contravened any condition that is imposed by the Council with the approval of the Minister for the purposes of this section.”.

Repeal of section 18

- 30 **15.** Section 18 of the Dentists Act is repealed.

Amendment of section 20

16. Section 20 of the Dentists Act is amended —

- (a) by deleting the word “and” at the end of subsection (1)(c)(ii);
- (b) by deleting the full-stop at the end of paragraph (d) of subsection (1) and substituting the word “; and”, and by inserting immediately thereafter the following paragraph:
 - “(e) remove from the appropriate register the name of any person who has requested and shown sufficient reason for his name to be removed from that register, unless a complaint has been made, or an inquiry has, or investigations or proceedings have, commenced under Part V against that person.”; and
- (c) by deleting the words “and who has no address in Singapore at which he can be found” in subsection (2).

Amendment of section 21

17. Section 21 of the Dentists Act is amended by deleting subsection (1) and substituting the following subsection:

“(1) Notwithstanding the provisions of this Act, the Council may, upon such evidence as it may require, order the removal from the appropriate register of the name of a registered dentist under any of the following circumstances:

- (a) if he has contravened any condition or restriction imposed by the Council as regards his conditional registration under section 14A;
- (b) if he has contravened any condition or restriction imposed by the Council as regards his temporary registration under section 14B;
- (c) if he, being a registered dentist whose name is in the Register of Specialists —
 - (i) has had his name removed from the first division of the Register of Dentists; or
 - (ii) has contravened any condition or restriction imposed by the Council under section 14C;

- (d) if he, being a person to whom section 32 applies, has contravened any regulation made under that section;
- (e) if he has obtained his registration fraudulently or by any incorrect statement;
- 5 (f) if his degree for registration under this Act has been withdrawn or cancelled by the authority through which it was acquired or by which it was awarded;
- (g) if he has had his registration as a dentist in any other country withdrawn, suspended or cancelled by the authority which
10 registered him;
- (h) if he has failed to serve the Government or such other body or organisation as directed by the Government for such period as may be specified in any undertaking given by him to the Government.”.

15 **New Division 3 of Part III**

18. The Dentists Act is amended by inserting, immediately after section 21, the following Division:

“Division 3 — Registration of oral health therapists

Persons entitled to be registered as oral health therapists

20 **21A.**—(1) Subject to the provisions of this Act, the following persons may apply to the Council to be registered as an oral health therapist under Part I of the Register of Oral Health Therapists:

- (a) a person who —
 - 25 (i) holds a diploma in dental hygiene and therapy from the Nanyang Polytechnic or any other certificate or diploma which, in the opinion of the Council, is of an equivalent standard and that has been awarded for successfully completing a course of dental training extending over a period of not less than 3 years; and
 - 30 (ii) after being registered under Part II of the Register of Oral Health Therapists, has obtained at least 5 years of practical experience in the area of oral health therapy whilst under the supervision of a registered dentist

whose name appears in the first division of the Register of Dentists; and

(b) a person who —

(i) holds —

5 (A) a certificate of dental therapy from the Ministry of Health or the Board or any other certificate or diploma which, in the opinion of the Council, is of an equivalent standard and that has been awarded for successfully completing a course of
10 dental training extending over a period of not less than 3 years; or

(B) a qualification in dental hygiene that is approved by the Council;

15 (ii) has sat for and passed such examinations as may be prescribed by the Council; and

20 (iii) after being registered under Part II of the Register of Oral Health Therapists, has obtained at least 5 years of practical experience in the area of oral health therapy whilst under the supervision of a registered dentist whose name appears in the first division of the Register of Dentists.

(2) Subject to the provisions of this Act, the following persons may apply to the Council to be registered as an oral health therapist under Part II of the Register of Oral Health Therapists:

25 (a) a person who holds a diploma in dental hygiene and therapy from the Nanyang Polytechnic or any other certificate or diploma which, in the opinion of the Council, is of an equivalent standard and that has been awarded for successfully completing a course of dental training
30 extending over a period of not less than 3 years;

35 (b) a person who holds a certificate of dental therapy from the Ministry of Health or the Board or any other certificate or diploma which, in the opinion of the Council, is of an equivalent standard and that has been awarded for successfully completing a course of dental training extending over a period of not less than 3 years; and

(c) a person who holds a qualification in dental hygiene that is approved by the Council.

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

5 (4) It is a condition of the registration of any person referred to in subsection (2) that he may only practise dentistry under the supervision of a registered dentist whose name appears in the first division of the Register of Dentists.

10 (5) The Council may require any person referred to in subsection (2) to undergo and pass such examinations as may be prescribed by the Council to satisfy the Council that he has the knowledge and skill and has acquired the experience which is necessary for practice as a registered oral health therapist.

(6) Subsection (4) shall not apply to —

15 (a) any person who is in the public service or who is an officer of the Board practising dentistry in the course of his duties in the public service or as an officer of the Board; and

(b) such other person as the Minister may, by order published in the *Gazette*, specify.

20 **Application for registration as oral health therapist**

21B.—(1) Every application for registration as an oral health therapist shall be made in such form, and shall be accompanied by such document, photograph, particulars and fee, as may be prescribed by the Council.

25 (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 whether the applicant is fit to practise dentistry.

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

(4) Subject to subsection (5), where a person has complied with subsection (1) and any requirement of the Council referred to in subsection (2), the Council shall register him as an oral health therapist.

(5) The Council may refuse to register any applicant who —

(a) has had his registration as an oral health therapist in any other country withdrawn, suspended or cancelled; or

(b) in the opinion of the Council —

5 (i) is not a person entitled to be registered as an oral health therapist under section 21A;

(ii) is not of good reputation and character; or

(iii) is unfit to practise dentistry by reason of his physical or mental condition.

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

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

Oral Health Therapists Accreditation Committee

21C.—(1) The Council shall appoint a committee of persons, to be known as the Oral Health Therapists Accreditation Committee —

20 (a) to determine the qualifications, experience and other conditions for registration as oral health therapists under this Act;

(b) to make recommendations to the appropriate authorities on the courses of instructions and examinations leading to any qualification as oral health therapists under section 21A(1) and (2);

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(c) to accredit the training programmes to be recognised for persons who intend to qualify for registration as oral health therapists under this Act; and

30 (d) to recommend to the Council programmes for the continuing professional education of persons who are registered as oral health therapists under this Act.

(2) The Oral Health Therapists Accreditation Committee shall consist of —

- (a) the chairman, who shall be the Chief Dental Officer;
- (b) one member of the academic staff of the dental hygiene and therapy course offered by the Nanyang Polytechnic;
- (c) not more than 2 dentists whose names appear in the first division of the Register of Dentists; and
- (d) not less than 3 and not more than 5 registered oral health therapists, one of whom shall be a member of the Council.

(3) The members of the Oral Health Therapists Accreditation Committee referred to in subsection (2)(c) and (d) shall be appointed for a term not exceeding 3 years each but may from time to time be reappointed and may at any time be removed from office by the Council.

(4) If any appointed member of the Oral Health Therapists Accreditation Committee dies, resigns or is removed from office, the vacancy so created shall as soon as practicable be filled in the manner in which the appointment to the vacant office was made; and every person so appointed shall hold office for the remainder of the term for which his predecessor was appointed.

(5) The powers of the Oral Health Therapists Accreditation Committee shall not be affected by any vacancy in the membership thereof.

(6) At any meeting of the Oral Health Therapists Accreditation Committee, 3 members shall form a quorum.

(7) At any meeting of the Oral Health Therapists Accreditation Committee, the chairman shall preside and, in his absence, the members present shall elect one of themselves to preside at the meeting.

(8) If on any question to be determined by the Oral Health Therapists Accreditation Committee there is an equality of votes, the chairman or the member presiding at the meeting shall have a casting vote.

(9) Subject to the provisions of this Act, the Oral Health Therapists Accreditation Committee may determine its own procedure.

Certificate of registration of oral health therapist

21D. Where a person has been registered as an oral health therapist, 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 from time to time.

Practising certificate of oral health therapist

21E.—(1) Any registered oral health therapist 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 oral health therapist 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) The Council may —

(a) refuse to grant a practising certificate to a registered oral health therapist; or

(b) refuse to renew the practising certificate of a registered oral health therapist,

if the registered oral health therapist contravenes any condition that is imposed by the Council with the approval of the Minister for the purposes of this section.

(7) Where a registered oral health therapist has had his name removed from the Register of Oral Health Therapists 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 oral health therapist shall immediately surrender the certificate to the Council.

(8) Any person who fails to comply with subsection (7) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

(9) 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.

Certificate of Registrar in relation to oral health therapists

21F. 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 —

- (a) any person was or was not a registered oral health therapist, or had or did not have in force a practising certificate; or
- (b) as to any entry in the Register of Oral Health Therapists, or the removal from that 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 of Oral Health Therapists

21G.—(1) The Registrar shall —

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

(e) remove from the Register of Oral Health Therapists the name of any person who has requested and shown sufficient reason for his name to be removed from that Register, unless a complaint has been made, or an inquiry has, or investigations or proceedings have, commenced under Part V against that person.

(2) The Registrar may remove from the Register of Oral Health Therapists the name of any person who has not renewed his practising certificate for a continuous period of not less than 5 years.

Removal of name from Register of Oral Health Therapists

21H.—(1) Notwithstanding the provisions of Part V, the Council may order the removal from the Register of Oral Health Therapists of the name of a registered oral health therapist if it comes to the knowledge of the Council that the registered oral health therapist —

- (a) has contravened any condition or restriction to which his registration as an oral health therapist is subject;
- (b) has obtained his registration by a fraudulent or an incorrect statement;
- (c) has had his qualification for registration under this Act withdrawn or cancelled by the authority through which it was acquired or by which it was awarded; or
- (d) has had his registration as an oral health therapist in any other country withdrawn, suspended or cancelled by the authority which registered him.

(2) The Council shall, before exercising its powers under subsection (1), notify the registered oral health therapist concerned of its intention to take such action and shall give the registered oral health therapist 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.”.

Amendment of section 22

19. Section 22 of the Dentists Act is amended —

(a) by deleting the words “sections 59 to 61” in subsection (1) and substituting the words “sections 60 and 61”;

(b) by inserting, immediately after subsection (1), the following subsection:

5 “(1A) Subsection (1) shall not apply to any registered oral health therapist who has in force a practising certificate and who practises dentistry in Singapore in accordance with the scope of practice prescribed under section 62.”; and

10 (c) by deleting the words “except by registered dentist with practising certificate” in the section heading.

Amendment of section 25

20. Section 25(1) of the Dentists Act is amended by deleting the words “section 44” and substituting the words “section 40”.

Amendment of section 26

15 **21.** Section 26 of the Dentists Act is amended —

(a) by inserting, immediately after subsection (1), the following subsection:

20 “(1A) No person other than a registered oral health therapist who has in force a practising certificate shall take or use the title of oral health therapist 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.”;

25 (b) by inserting, immediately after the words “subsection (1)” in subsection (2), the words “or (1A)”;

(c) by inserting, immediately after the word “dentist” in the section heading, the word “, etc.”.

Repeal and re-enactment of section 30

30 **22.** Section 30 of the Dentists Act is repealed and the following section substituted therefor:

“Evidence of qualification and entry of additional qualifications

30.—(1) No qualification shall be entered in an appropriate register unless the Registrar is satisfied by such evidence as he may consider proper that the person claiming the qualification is entitled thereto.

5 (2) Every person registered under this Act, who obtains any qualification in addition to the qualification by virtue of which he has been registered, may apply to the Council to have that additional qualification inserted in the relevant register.

10 (3) The Council shall have power to decide on the additional qualifications which may be entered in an appropriate register.”.

Amendment of section 31

23. Section 31 of the Dentists Act is amended —

(a) by inserting, immediately after the words “A registered dentist” in subsection (1), the words “or registered oral health therapist”;
15 and

(b) by deleting subsection (4) and substituting the following subsection:

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

New section 31A

25 **24.** The Dentists Act is amended by inserting, immediately after section 31, the following section:

“False assumption of title of specialist

31A.—(1) A registered dentist who is not registered under section 14C as a specialist in a branch of dentistry shall not —

30 (a) practise dentistry or that branch of dentistry under the style or title of a specialist in that branch of dentistry, or under any name, title, addition or description implying that he is

such a specialist or has any degree, qualification or experience in that branch of dentistry; or

(b) advertise or hold himself out as a specialist in that branch of dentistry.

5 (2) A registered dentist who contravenes subsection (1) may be subject to disciplinary proceedings under this Act.”.

New Part IVA

25. The Dentists Act is amended by inserting, immediately after section 32, the following Part:

10

“PART IVA

DENTAL SPECIALISTS ACCREDITATION BOARD

Establishment of Dental Specialists Accreditation Board

15 **32A.**—(1) There shall be a board to be known as the Dental Specialists Accreditation Board (referred to in this Part as the Accreditation Board) consisting of not less than 8 registered dentists to be appointed by the Minister.

(2) The chairman of the Accreditation Board shall be appointed by the Minister from among its members.

20 (3) The chairman and members of the Accreditation Board shall be appointed for a term not exceeding 3 years but may from time to time be reappointed and may at any time be removed from office by the Minister.

25 (4) If any member of the Accreditation Board dies, resigns or is removed from office, the Minister may fill the vacancy by the appointment of a registered dentist and every person so appointed shall hold office for the remainder of the term for which the vacating member was appointed.

(5) The powers of the Accreditation Board shall not be affected by any vacancy in the membership thereof.

30 (6) At any meeting of the Accreditation Board, 3 members shall form a quorum.

(7) At any meeting of the Accreditation Board, the chairman shall preside and, in his absence, the members present shall elect one of their members to preside at the meeting.

5 (8) If on any question to be determined by the Accreditation Board there is an equality of votes, the chairman or the member presiding at the meeting shall have a casting vote.

(9) Subject to the provisions of this Act, the Accreditation Board may determine its own procedure.

10 (10) The Accreditation Board may appoint one or more committees consisting of such members as it thinks fit to assist the Accreditation Board in carrying out its functions under this Act.

Functions of Accreditation Board

32B.—(1) The functions of the Accreditation Board shall be —

- 15 (a) to determine the qualifications, experience and other conditions for registration as specialists under this Act;
- (b) to define specialties in dentistry for the purposes of maintaining and keeping the Register of Specialists;
- 20 (c) to accredit the training programmes to be recognised for persons who intend to qualify for registration as specialists under this Act;
- (d) to certify persons who have the qualifications and experience and satisfy the other conditions for registration as specialists under this Act;
- 25 (e) to recommend to the Council programmes for the continuing professional education of persons who are registered as specialists under this Act; and
- (f) to advise the Council on matters affecting or connected with the registration of specialists under this Act.

30 (2) Any person who desires to be certified as a specialist may apply to the Accreditation Board.

(3) Any person who is aggrieved by the refusal of the Accreditation Board to grant him a certificate as a specialist may, within one month of the notice of the refusal, appeal to the Minister whose decision shall be final.”.

Repeal of sections 33 to 47 and re-enactment of sections 33 to 43

26. Sections 33 to 47 of the Dentists Act are repealed and the following sections substituted therefor:

“Appointment of Complaints Panel

5 **33.**—(1) For the purpose of enabling Complaints Committees and Disciplinary Committees to be constituted in accordance with this Part, the Council shall appoint a panel (referred to in this Act as the Complaints Panel) consisting of —

- (a) not less than 5 members of the Council;
- 10 (b) not less than 10 registered dentists of at least 10 years’ standing who are not members of the Council;
- (c) not less than 5 registered oral health therapists who have at least 10 years of practical experience in the area of oral health therapy and who are not members of the Council; and
- 15 (d) not less than 5 lay persons nominated by the Minister.

(2) The term of office of a member of the Complaints Panel referred to in subsection (1)(a) shall expire at the end of his term of office as member of the Council, and a member of the Complaints Panel referred to in subsection (1)(b), (c) or (d) shall be appointed for
20 a term of 2 years; and any member 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.

25 (4) The Council shall appoint a member of the Complaints Panel who is a member of the Council to be the chairman of the Complaints Panel.

Complaints against registered dentists and registered oral health therapists

30 **34.**—(1) Any —

- (a) complaint of the conduct of a registered dentist or registered oral health therapist in his professional capacity or of his improper act or conduct which brings disrepute to his profession;

(b) information on the conviction of a registered dentist or registered oral health therapist of any offence implying a defect in character which makes him unfit for his profession; or

5 (c) information touching upon the physical or mental fitness to practise of a registered dentist or registered oral health therapist,

shall be made or given to the Council which shall refer the complaint or information, other than a complaint or information touching on the matters referred to in section 21 or 21H, to the chairman of the
10 Complaints Panel.

(2) The Council may, on its own motion, refer any information on the conviction of a registered dentist or registered oral health therapist of any offence implying a defect in character which makes him unfit
15 for his profession to the chairman of the Complaints Panel.

(3) Where a registered dentist or registered oral health therapist has contravened section 31 or 31A, or has been convicted in Singapore or elsewhere of an offence involving fraud or dishonesty, the Council shall, notwithstanding subsection (1) or (2), immediately refer the
20 matter to a Disciplinary Committee under section 37.

(4) Every complaint made or information given 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.

25 (5) The chairman of the Complaints Panel may from time to time appoint one or more committees (to be known for the purposes of this Act as Complaints Committees) consisting of —

(a) a chairman, being a member of the Complaints Panel who is a member of the Council;

30 (b) 2 members of the Complaints Panel comprising 2 registered dentists or one registered dentist and one registered oral health therapist; and

(c) a member of the Complaints Panel who is a lay person,

35 which shall inquire into any complaint or information mentioned in subsection (1) or (2).

(6) A Complaints Committee shall be appointed in connection with one or more matters or for such fixed period of time as the chairman of the Complaints Panel may think fit.

5 (7) Where any complaint or information mentioned in subsection (1)(a) or (b) or (2) is referred to the chairman of the Complaints Panel, the chairman of the Complaints Panel shall lay the complaint or information before a Complaints Committee.

10 (8) Where any complaint or information mentioned in subsection (1)(c) is referred to the chairman of the Complaints Panel, the chairman of the Complaints Panel shall —

15 (a) if he is satisfied, based on any information given in support of the complaint or information, that a formal inquiry is necessary to determine the physical or mental fitness of the registered dentist or registered oral health therapist to practise, refer the complaint or information to the Health Committee; or

(b) in any other case, lay the complaint or information before a Complaints Committee.

20 (9) The chairman of the Complaints Panel may at any time revoke the appointment of any Complaints Committee or may remove any member of a Complaints Committee or fill any vacancy in a Complaints Committee.

25 (10) 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 members or any of them.

30 (11) All the members of a Complaints Committee shall be present to constitute a quorum for a meeting of the Complaints Committee and any resolution or decision in writing signed by 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 all its members were present.

35 (12) A Complaints Committee may meet for the purposes of its inquiry, adjourn and otherwise regulate the conduct of its inquiry as the members may think fit.

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

(14) All members of a Complaints 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.

(15) 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, be deemed to be a member of the Complaints Panel until such time as the Complaints Committee has completed its work.

Inquiry by Complaints Committee

35.—(1) A Complaints Committee shall inquire into any complaint or information, or any information or evidence referred to in subsection (9), and complete its preliminary inquiry not later than 3 months from —

(a) the date the complaint or information is laid before the Complaints Committee; or

(b) the date the information or evidence referred to in subsection (9) is received by the Complaints Committee,

as the case may be.

(2) Where a Complaints Committee is of the opinion that it will not be able to complete its preliminary inquiry within the period specified in subsection (1) due to the complexity of the matter or serious difficulties encountered by the Complaints Committee in conducting its preliminary inquiry, the Complaints Committee may apply in writing to the chairman of the Complaints Panel for an extension of time to complete its inquiry and the chairman of the Complaints Panel may grant such extension of time to the Complaints Committee as he thinks fit.

(3) For the purposes of any inquiry, a Complaints Committee may —

(a) call upon or appoint any person it considers necessary to assist it in its investigations and deliberations;

(b) require the production of 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 the registered dentist or registered oral health therapist concerned to give all information in relation to any such book, document, paper or other record which may be reasonably required by the Complaints Committee or by the person so appointed.

(4) If any registered dentist, registered oral health therapist, or any other person who without lawful excuse —

(a) refuses or fails to produce to a Complaints Committee or to any person to whom the Complaints Committee may appoint for the purpose of the inquiry any book, document, paper or other record referred to in subsection (3); or

(b) fails to give any such information relating thereto,

he shall each be guilty of an offence and shall each be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 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.

(5) All such information, including such book, document, paper or other record used by the Complaints Committee in the course of its deliberations, shall be confidential and shall not be disclosed to any person including the registered dentist or registered oral health therapist unless the Complaints Committee in its discretion thinks otherwise.

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

(7) Where a Complaints Committee is of the opinion that a registered dentist or registered oral health therapist should be called upon to answer any allegation made against him, the Complaints Committee shall post or deliver to that registered dentist or registered oral health therapist —

(a) copies of any complaint or information and of any statutory declaration or affidavit that have been made in support of the complaint or information; and

5 (b) a notice inviting that registered dentist or registered oral health therapist to give to the Complaints Committee, within such period (not being less than 21 days) as may be specified in the notice, any written explanation he may wish to offer.

10 (8) The registered dentist or registered oral health therapist 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.

15 (9) Where, in the course of its inquiry, a Complaints Committee receives information touching on or evidence of the conduct or physical or mental fitness of the registered dentist or registered oral health therapist concerned which may give rise to proceedings under this Part, the Complaints Committee may, after giving notice to him, decide on its own motion to inquire into that matter.

(10) Where the complainant withdraws his complaint before —

20 (a) it is referred to a Complaints Committee or the Health Committee under this Part; or

(b) the conclusion of the inquiry of a Complaints Committee or Disciplinary Committee before which it is laid, or of the Health Committee,

25 the Council may, notwithstanding such withdrawal, direct that an inquiry be conducted into the complaint or the inquiry into the complaint be continued, and the chairman of the Complaints Panel, the Complaints Committee, the Disciplinary Committee or the Health Committee, as the case may be, shall comply with such direction as if
30 the complaint had been made by the Council.

(11) Any member of the Council who is employed in the Ministry of Health shall not be disqualified from being a member of a Complaints Committee or Disciplinary Committee or the Health Committee by reason only that he or the complainant is so employed.

Findings of Complaints Committee

36.—(1) Upon due inquiry into the complaint or information, or any information or evidence referred to in section 35(9), a Complaints Committee shall —

- 5 (a) if it is of the view that no formal inquiry is necessary —
- (i) order that the registered dentist or registered oral health therapist be issued with a letter of advice;
- (ii) order that the registered dentist or registered oral health therapist be warned;
- 10 (iii) order that the complaint or matter be dismissed; or
- (iv) make such other order as it thinks fit; or
- (b) if it is of the view that a formal inquiry is necessary —
- (i) order that an inquiry be held by the Health Committee; or
- 15 (ii) order that an inquiry be held by a Disciplinary Committee.

20 (2) Where a Complaints Committee determines that a formal inquiry is necessary, it shall order that the inquiry be held by the Health Committee if the complaint, information or evidence touches upon the physical or mental fitness of the registered dentist or registered oral health therapist to practise.

25 (3) Where a Complaints Committee has made an order for a formal inquiry to be held by a Disciplinary Committee, the Council shall immediately appoint a Disciplinary Committee which shall hear and investigate the complaint or matter.

 (4) Where a Complaints Committee has ordered that a letter of advice be issued, the chairman of the Complaints Committee shall issue a letter of advice in such terms as it thinks fit.

30 (5) A Complaints Committee shall notify the registered dentist or registered oral health therapist concerned and the person who made the complaint or gave the information under section 34(1) of its decision under subsection (1) and, if it makes an order under subsection (1)(a), the reason for making the order.

(6) Any registered dentist or registered oral health therapist who is aggrieved by any order of a Complaints Committee under subsection (1)(a) may, within 30 days of being notified of the determination of the Complaints Committee, appeal to the Minister whose decision shall be final.

(7) Where the person who has made the complaint or given the information to the Council is dissatisfied with any order of a Complaints Committee under subsection (1)(a), he may, within 30 days of being notified of the determination of the Complaints Committee, appeal to the Minister whose decision shall be final.

(8) The Minister may make —

- (a) an order affirming the determination of a Complaints Committee;
- (b) an order directing the Council to immediately appoint a Disciplinary Committee to hear and investigate the complaint or matter;
- (c) an order directing that an inquiry into the matter be held by the Health Committee; or
- (d) such other order as he thinks fit.

(9) Every Complaints Committee shall immediately report to the Council its findings and the order or orders made.

Appointment of Disciplinary Committee

37.—(1) The President may, from time to time, appoint one or more committees consisting of —

- (a) a chairman from a panel, to be appointed by the Minister, comprising fully registered dentists whose names appear in the first division of the Register of Dentists and who have had not less than 20 years' experience in the practice of dentistry;
- (b) not less than one member of the Council;
- (c) not less than one member of the Complaints Panel, not being a member of the Council; and
- (d) an observer who is a lay person,

to be known as Disciplinary Committees, to inquire into —

- (i) any complaint or matter in respect of which the Minister or a Complaints Committee has under section 36 ordered that an inquiry be held by a Disciplinary Committee; or
- (ii) any matter referred to it under section 34(3).

5 (2) A member of a Complaints Committee inquiring into any matter concerning a registered dentist or registered oral health therapist shall not be a member of a Disciplinary Committee inquiring into the same matter.

10 (3) The member of a Disciplinary Committee who is an 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.

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

(5) 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.

20 (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) Except as provided by subsection (3) —

25 (a) all members of a Disciplinary Committee shall be personally present to constitute a quorum for the transaction of any business; and

30 (b) 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.

Proceedings of Disciplinary Committee

38.—(1) A Disciplinary Committee shall meet from time to time to inquire into any matter referred to it by the Council and may regulate its own procedure.

5 (2) A member of a Disciplinary Committee shall, notwithstanding that he has ceased to be a member of the Council or Complaints Panel 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.

10 (3) The registered dentist or registered oral health therapist may appear in person or be represented by counsel.

(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.

15 (5) A Disciplinary Committee may, for the purpose of any proceedings before it, administer oaths and any party to the proceedings may sue out subpoenas to testify and to produce documents.

20 (6) The subpoenas referred to in subsection (5) shall be served and may be enforced as if they were subpoenas issued in connection with a civil action in the High Court.

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

25 (8) Witnesses shall have the same privileges and immunities in relation to hearings before a Disciplinary Committee as if they were proceedings in a court of law.

(9) 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.

30 (10) When an application for extension of time has been made under subsection (9), the Council may grant an extension of time for such period as it thinks fit.

35

(11) 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 taking part in any investigation under this section, and in sections 193 and 228 of the Penal Code,
 5 “judicial proceeding” shall be deemed to include any such investigation.

Reference and transfer of cases to Health Committee

39.—(1) Where, in the course of inquiring into the case of a registered dentist or registered oral health therapist, it appears to a
 10 Disciplinary Committee that his fitness to practise 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 or registered oral health therapist to practise is not impaired by reason of his condition,
 15 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 or registered oral health therapist to practise is impaired by reason of his condition, the
 20 Health Committee shall —

- (a) certify its opinion to the Disciplinary Committee; and
- (b) proceed to dispose of the case,

25 and the Disciplinary Committee shall cease to exercise its function in relation to the case.

Findings of Disciplinary Committee

40.—(1) Where a registered dentist or registered oral health therapist is found or judged by a Disciplinary Committee —

- 30 (a) to have been convicted in Singapore or elsewhere of any offence involving fraud or dishonesty;
- (b) to have been convicted in Singapore or elsewhere of any offence implying a defect in character which makes him unfit for his profession;

- (c) to have been guilty of such improper act or conduct which, in the opinion of the Disciplinary Committee, brings disrepute to his profession;
- (d) to have been guilty of professional misconduct; or
- 5 (e) to have contravened section 31 or 31A,

the Disciplinary Committee may exercise one or more of the powers referred to in subsection (2).

(2) The powers referred to in subsection (1) are as follows:

- 10 (a) by order direct the Registrar to remove the name of the registered dentist or registered oral health therapist concerned from the appropriate register;
- (b) by order suspend the registration of the registered dentist or registered oral health therapist concerned for a period of not less than 3 months and not more than 3 years;
- 15 (c) by order impose such conditions as are necessary to restrict the practice of the registered dentist or registered oral health therapist concerned in such manner as the Disciplinary Committee thinks fit for a period not exceeding 3 years;
- (d) by order impose on the registered dentist or registered oral health therapist concerned a penalty not exceeding \$50,000;
- 20 (e) by writing censure the registered dentist or registered oral health therapist concerned;
- (f) by order require the registered dentist or registered oral health therapist concerned to give such undertaking as the Disciplinary Committee thinks fit to abstain in future from the conduct complained of; and
- 25 (g) make such other order as the Disciplinary Committee thinks fit.

30 (3) In any proceedings instituted under this Part against a registered dentist or registered oral health therapist consequent upon his conviction for a criminal offence, a Disciplinary Committee and the High Court on appeal from any order of the Disciplinary Committee shall accept his conviction as final and conclusive.

(4) A Disciplinary Committee may under subsection (2) order the registered dentist or registered oral health therapist concerned to pay to the Council such sums as it thinks fit in respect of costs and expenses of and incidental to any proceedings before the Disciplinary Committee and, where applicable, an Interim Orders Committee.

(5) The High Court shall have jurisdiction to tax such costs referred to in subsection (4) and any such order for costs made shall be enforceable as if it were ordered in connection with a civil action in the High Court.

(6) The Disciplinary Committee in ordering that costs be paid by the registered dentist or registered oral health therapist under this section 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.

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

(a) the costs and expenses of any assessor and advocate and solicitor appointed by the Council for proceedings before the Disciplinary Committee and the Interim Orders Committee;

(b) such reasonable expenses as the Council may pay to witnesses; and

(c) such reasonable expenses as are necessary for the conduct of proceedings before the Disciplinary Committee and the Interim Orders Committee.

Orders of Disciplinary Committee

41.—(1) Where a registered dentist or registered oral health therapist in respect of whom an order is made under section 40(2)(c), or an order for interim restricted registration is made under section 49C(1)(b) or 49E(1)(d), is judged by a Disciplinary Committee (whether, in the case of an order under section 40(2)(c), it is the Disciplinary Committee that made the order or another Disciplinary Committee appointed in its place) to have failed to comply with any of the requirements imposed on him as conditions of his registration, the Disciplinary Committee may, if it thinks fit, order —

- (a) that his name be removed from the appropriate register; or
- (b) that his registration in the appropriate register be suspended for such period not exceeding 12 months as may be specified in the order.

5 (2) Where a Disciplinary Committee has made an order for suspension under subsection (1)(b) or section 40(2)(b), the Disciplinary 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 restricted in such manner as it thinks
10 fit for a period not exceeding 3 years.

(3) Where a Disciplinary Committee has made an order for suspension under subsection (1)(b) or section 40(2)(b) against a person and that person has failed to comply with that order, the Disciplinary Committee or another Disciplinary Committee appointed
15 in its place may, if it thinks fit, order —

- (a) that his name be removed from the appropriate register; or
- (b) that, as from the expiry of the current period of suspension, his registration in the appropriate register be restricted in such manner as it thinks fit for a period not exceeding
20 3 years.

(4) Where a Disciplinary Committee has made an order under section 40(2)(c), the Disciplinary Committee or another Disciplinary Committee appointed in its place may revoke the order or revoke or vary any of the conditions imposed by the order.

25 (5) Subsection (1) shall apply to a registered dentist or registered oral health therapist whose registration is subject to conditions imposed by an order made under subsection (2) or (3) as it applies to a registered dentist or registered oral health therapist whose registration is subject to conditions imposed by an order for restricted
30 registration made under section 40(2)(c), and subsection (4) shall apply accordingly.

(6) Where a Disciplinary Committee has made an order or has varied the conditions imposed by an order under this section, the Registrar shall immediately serve on the person to whom the order
35 applies a notice of the order or the variation.

(7) Any person who is aggrieved by any order referred to in subsection (6) may, within 30 days after the service on him of the notice of the order, appeal to the High Court against the order and there shall be no appeal from the decision of that Court.

5 (8) In any appeal to the High Court against an order referred to in subsection (6), the High Court shall accept as final and conclusive any finding of the Disciplinary Committee relating to any issue of professional ethics or standards of professional conduct unless such finding is in the opinion of the High Court unsafe, unreasonable or
10 contrary to the evidence.

(9) Subject to subsection (10), an order made by a Disciplinary Committee for the removal of any name or for suspension of registration under subsection (1) or (3) or section 40(2) shall not take effect until the expiration of 30 days after the order is made.

15 (10) On making an order for the removal of any name or for suspension of registration under subsection (1) or (3) or section 40(2), a Disciplinary Committee may, if it is satisfied that to do so is necessary for the protection of members of the public or would be in the best interests of the registered dentist or registered oral health
20 therapist concerned, order that his registration in the appropriate register be suspended or that his name be removed from the appropriate register immediately.

(11) Where an order under subsection (10) is made, the Registrar shall immediately serve a notice of the order on the person to whom it
25 applies and if that person was present or represented at the proceedings of the Disciplinary Committee, the order shall take effect from the time the order is made.

(12) Where the person concerned is neither present nor represented at the proceedings of the Disciplinary Committee, the order made
30 under subsection (10) shall take effect from the time of service of the notice of the order on him.

(13) An order of a Disciplinary Committee, other than an order for the removal of any name or for suspension of registration under subsection (1) or (3) or section 40(2), shall take effect from the time
35 the order is made.

(14) Notwithstanding anything in this section, where a registered dentist or registered oral health therapist has appealed to the High Court against an order of a Disciplinary Committee under subsection (7), 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 is withdrawn.

(15) While any order of suspension of registration remains in force, the person concerned shall not be regarded as being registered under this Act notwithstanding that his name still appears in the appropriate register, but immediately on the expiry of such order his rights and privileges as a registered dentist or registered oral health therapist shall be revived as from the date of such expiry provided that the dentist or oral health therapist, as the case may be, has complied with all the terms of the order.

(16) Where a registered dentist or registered oral health therapist is not found or judged by a Disciplinary Committee to have been convicted or guilty of any matter referred to in section 40(1), the Disciplinary Committee shall dismiss the complaint or matter.

Restoration of names to appropriate register

42.—(1) Where the name of a dentist or an oral health therapist has been removed from an appropriate register pursuant to an order made by a Disciplinary Committee under section 40 or 41, the Council may, upon application by the dentist or oral health therapist and if it thinks fit, direct —

- (a) that his name be restored to the appropriate register; or
- (b) where the person is a dentist, that he be registered as a dentist with conditional registration in Part II of the Register of Dentists, and section 14A(3) to (8) shall apply accordingly.

(2) No application for the restoration of a name to an appropriate register under this section shall be made to the Council —

- (a) before the expiration of 3 years from the date of the removal of the name; or

(b) more than once in any period of 12 months by or on behalf of the dentist or oral health therapist,

and unless the dentist or oral health therapist has complied with all the terms of the order made against him.

5 **Report of breach**

43. Where any breach of any written law is disclosed to the Disciplinary Committee in the course of an inquiry, the Disciplinary Committee may, in its discretion, report the breach to the appropriate authorities.”.

10 **Amendment of section 48**

27. Section 48 of the Dentists Act is amended —

- (a) by deleting the words “section 39(1) or (5) or 46(1)” in subsection (1) and substituting the words “this Act”; and
- (b) by deleting subsections (4) and (5).

15 **Amendment of section 49**

28. Section 49 of the Dentists Act is amended —

- (a) by inserting, immediately after the words “the Health Committee” in subsection (1)(a), the words “and, where applicable, an Interim Orders Committee”;
- 20 (b) by deleting the words “under subsection (1)(c) by the Health Committee” in subsection (2) and substituting the words “under subsection (1)(c), or an interim restricted registration is made under section 49C(1)(b) or 49E(1)(d),”;
- (c) by inserting, immediately after subsection (3), the following
25 subsection:

“(3A) Where the Health Committee has made an order for suspension under subsection (1) or (2) against a person and that person has failed to comply with that order, the Health Committee may, if it thinks fit —

- 30 (a) make a recommendation referred to in subsection (1)(d) to the Council, and subsection (8) shall apply accordingly; or

(b) order that, as from the expiry of the current period of suspension, his registration in the appropriate register be restricted in such manner as it thinks fit for a period not exceeding 3 years.”;

5 (d) by inserting, immediately after the words “subsection (3)” in subsection (5), the words “or (3A)”;

(e) by deleting subsection (8) and substituting the following subsections:

10 “(8) Where the Council accepts the recommendation of the Health Committee under subsection (1)(d), the Council shall by order direct that the name of the registered dentist or registered oral health therapist be removed from the appropriate register and that order shall take effect from the date it is made.

15 (8A) Sections 37(5), (6) and (7) and 38 shall apply, with the necessary modifications, to the Health Committee and references to a Disciplinary Committee shall be read as references to the Health Committee.”.

New section 49A and Division 3A

20 **29.** The Dentists Act is amended by inserting, immediately after section 49, the following section and Division:

“Restoration of names removed on recommendation of Health Committee

25 **49A.**—(1) Where the name of a person has been removed from an appropriate register on the recommendation of the Health Committee under section 49, the Council may, upon application by the person, if it thinks fit, direct —

(a) that his name be restored to the appropriate register; or

30 (b) where the person is a dentist, that he be registered as a dentist with conditional registration in Part II of the Register of Dentists, and section 14A(3) to (8) shall apply accordingly.

(2) No application under subsection (1) shall be made to the Council more than once in any period of 12 months by or on behalf of the dentist or oral health therapist.

5 (3) No application under subsection (1) shall be made to the Council by or on behalf of the dentist or oral health therapist unless the dentist or oral health therapist has complied with all the terms of the order made against him.

Division 3A — Interim Orders Committee

Interim Orders Committee

10 **49B.**—(1) The Council may, from time to time, appoint one or more committees each comprising 3 of its members, to be known for the purposes of this Act as Interim Orders Committees, to inquire into any matter referred by the Council under subsection (4).

15 (2) The Council shall appoint one of the members of the Interim Orders Committee as chairman of that Committee.

(3) An Interim Orders Committee may be appointed in connection with one or more matters or for a fixed period of time.

20 (4) The chairman of the Complaints Panel, a Complaints Committee, a Disciplinary Committee or the Health Committee may refer any complaint or information to the Council for the purpose of determining if an order should be made under section 49C; and the Council shall refer the complaint or information to an Interim Orders Committee for this purpose.

25 (5) A member of a Complaints Committee or Disciplinary Committee inquiring into any matter shall not be a member of an Interim Orders Committee inquiring into or reviewing that matter.

30 (6) A member of an Interim Orders Committee inquiring into or reviewing any matter shall not be a member of a Complaints Committee or Disciplinary Committee inquiring into that matter, or take part in any deliberation of the Council under section 49(8) in respect of that matter.

(7) Neither the chairman of the Complaints Panel nor any member of the Health Committee shall be a member of an Interim Orders Committee.

(8) All members of an Interim Orders Committee shall vote on any question arising at a meeting of the Interim Orders Committee and such question shall be determined by a majority of votes.

5 (9) A member of an Interim Orders Committee which has commenced any inquiry or review of any case shall, notwithstanding that he has ceased to be a member of the Council, continue to be a member of the Interim Orders Committee until completion of that inquiry or review.

10 (10) Sections 37(5), (6) and (7) and 38(1) and (4) to (11) shall apply, with the necessary modifications, to an Interim Orders Committee and to proceedings before it as they apply to a Disciplinary Committee and to proceedings before a Disciplinary Committee.

Interim orders

15 **49C.**—(1) Where, upon due inquiry into any complaint or information referred to it, an Interim Orders Committee is satisfied that it is necessary for the protection of members of the public or is otherwise in the public interest, or is in the interests of a registered dentist or registered oral health therapist, for his registration to be
20 suspended or to be made subject to conditions, the Interim Orders Committee may make an order —

(a) that his registration in the appropriate register be suspended for such period not exceeding 18 months as may be specified in the order (referred to in this Division as an
25 interim suspension order); or

(b) that his registration be conditional on his compliance, during such period not exceeding 18 months as may be specified in the order, with such requirements so specified as the Interim
30 Orders Committee thinks fit to impose (referred to in this Division as an order for interim restricted registration).

(2) The Registrar shall immediately serve a notice of the order under subsection (1) on the registered dentist or registered oral health therapist.

Review of interim orders

49D.—(1) Subject to subsection (2), where an Interim Orders Committee has made an order under section 49C, the Interim Orders Committee or another Interim Orders Committee appointed in its place —

(a) shall review the order within the period of 6 months beginning on the date on which the order was made, and shall thereafter, for so long as the order continues in force, further review it before the end of the period of 3 months beginning on the date of the decision of the immediately preceding review; and

(b) may review the order where new evidence relevant to the order has become available after the making of the order.

(2) Where the High Court has extended the order under section 49G(2) or an Interim Orders Committee has made a replacement order under section 49E(1)(c) or (d), the first review after such extension or making of the replacement order shall take place —

(a) if the order (or the order which has been replaced) had not been reviewed under subsection (1), within the period of 6 months beginning on the date on which the High Court ordered the extension or on which the replacement order was made, as the case may be; or

(b) if the order had been reviewed under subsection (1), within the period of 3 months beginning on the date on which the High Court ordered the extension or on which the replacement order was made.

Interim Orders Committee may revoke, vary or replace interim order

49E.—(1) Where an interim suspension order or an order for interim restricted registration has been made under this section or section 49C in relation to any person, the Interim Orders Committee that made the order or another Interim Orders Committee appointed in its place may, either upon its review referred to in section 49D or upon the recommendation of a Complaints Committee, a Disciplinary Committee or the Health Committee —

- (a) revoke the order or revoke any condition imposed by the order;
- (b) make an order varying any condition imposed by the order;
- 5 (c) if satisfied that to do so is necessary for the protection of members of the public or is otherwise in the public interest, or is in the interests of the registered dentist or registered oral health therapist concerned, or that the registered dentist or registered oral health therapist has not complied with any requirement imposed as a condition of his registration in the order for interim restricted registration, replace that order with an interim suspension order having effect for the remainder of the period of the former; or
- 10 (d) if satisfied that the public interest or the interests of the registered dentist or registered oral health therapist concerned would be more adequately served by an order for interim restricted registration, replace the interim suspension order with an order for interim restricted registration having effect for the remainder of the period of the former.
- 15

(2) The Registrar shall immediately serve a notice of the decision under subsection (1) on the registered dentist or registered oral health therapist.

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Right of hearing

49F.—(1) No order under section 49C or 49E(1)(b), (c) or (d) shall be made by an Interim Orders Committee in respect of any registered dentist or registered oral health therapist unless he has been afforded an opportunity of appearing before the Interim Orders Committee and being heard on the question whether such an order should be made in his case.

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(2) For the purposes of subsection (1), the registered dentist or registered oral health therapist may be represented before the Interim Orders Committee by counsel.

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(3) Regulations made for the purposes of an Interim Orders Committee may include provision securing that the registered dentist or registered oral health therapist in respect of whom an interim suspension order or an order for interim restricted registration has been made shall, if he so requires, be entitled to be heard by the

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Interim Orders Committee on each occasion on which it reviews the order, and be represented by counsel during such review.

Application to High Court

5 **49G.**—(1) The Council may apply to the High Court for an order made under section 49C or 49E(1)(c) or (d) to be extended, and may apply again for further extensions.

(2) On such an application, the High Court may extend (or further extend) for up to 12 months the period for which the order has effect.

10 (3) The High Court may, on application by the registered dentist or registered oral health therapist concerned —

- (a) in the case of an interim suspension order, revoke the order;
- (b) in the case of an order for interim restricted registration, revoke the order or vary any condition imposed by the order; and
- 15 (c) in either case, substitute for the period specified in the order (or in the order extending it) some other period which could have been specified in the order when it was made (or in the order extending it).

Duration of interim orders

20 **49H.**—(1) An interim suspension order or an order for interim restricted registration shall be in force until —

- (a) the end of the period specified in the order or, if extended under section 49G(2), in the order extending it; or
- (b) the date on which proceedings are concluded,

25 whichever is the earlier.

(2) For the purposes of subsection (1)(b), proceedings are concluded if —

- (a) the Complaints Committee inquiring into the complaint or information has made an order under section 36(1)(a) and —
- 30 (i) no appeal to the Minister under section 36(6) or (7) was made against that decision within the period specified in that section or such an appeal was withdrawn; or

(ii) the Minister made an order under section 36(8)(a) or (c);

(b) the Disciplinary Committee inquiring into the complaint or information has made an order under section 40(2) which has taken effect, or has dismissed the complaint or matter under section 41(16); or

(c) the Health Committee has made an order under section 49(1) which has taken effect, the Council has made an order under section 49(8) which has taken effect, or the Health Committee has dismissed the complaint or matter,

as the case may be.

Person suspended under interim suspension order not regarded as registered

49I.—(1) While a person's registration in an appropriate register is suspended by virtue of an interim suspension order, he shall not be regarded as being registered notwithstanding that his name still appears in the appropriate register.

(2) Immediately upon the expiry or revocation of the order, the person's rights and privileges as a registered dentist or registered oral health therapist shall be revived as from the date of such expiry or revocation, provided that he has complied with all the terms of the order.

(3) For the avoidance of doubt, sections 33 to 40, 48 and 49 shall continue to apply to a person whose registration in an appropriate register is suspended by virtue of an interim suspension order.

Council may appoint legal counsel

49J. For the purposes of an inquiry under this Part by a Disciplinary Committee, the Health Committee or an Interim Orders Committee, the Council may appoint an advocate and solicitor and pay him, as part of the expenses of the Council, such remuneration as the Council may determine.”

Repeal of sections 50, 51 and 52

30. Sections 50, 51 and 52 of the Dentists Act are repealed.

Amendment of section 53

31. Section 53 of the Dentists Act is amended —

- 5 (a) by deleting the words “from the register” in subsections (1) and (3) and substituting in each case the words “from an appropriate register”; and
- (b) by deleting the words “to the register” in subsections (1) and (3) and substituting in each case the words “to that appropriate register”.

New section 53A

10 **32.** The Dentists Act is amended by inserting, immediately after section 53, the following section:

“Recovery of penalties and costs

15 **53A.** Any penalty imposed by the Council under sections 5 and 40 and any costs payable by any person under this Act shall be recoverable by the Council as a debt due to the Council from that person and the person’s liability to pay shall not be affected by his ceasing to be registered with the Council.”.

Amendment of section 57

33. Section 57 of the Dentists Act is amended —

- 20 (a) by deleting the words “and the Health Committee” in subsection (1) and substituting the words “, the Health Committee and the Interim Orders Committee”; and
- (b) by deleting the words “or the Health Committee” in subsection (2) and substituting the words “, the Health Committee or the
- 25 Interim Orders Committee”.

Repeal of section 59

34. Section 59 of the Dentists Act is repealed.

Amendment of section 61

30 **35.** Section 61 of the Dentists Act is amended by deleting the words “dental or medical student” and substituting the words “oral health therapist, dental student or medical student”.

New sections 61A to 61D

36. The Dentists Act is amended by inserting, immediately after section 61, the following sections:

“Exemption

5 **61A.** The Minister may, by order published in the *Gazette* and subject to such conditions as he may impose, exempt any person or class of persons from any or all of the provisions of this Act or any regulations made thereunder.

Composition of offences

10 **61B.—**(1) The Council may, in its discretion, compound any offence under this Act which is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding —

15 (a) one half of the amount of the maximum fine that is prescribed for the offence; or

 (b) \$500,

whichever is the lower.

(2) On payment of such sum of money, no further proceedings shall be taken against that person in respect of the offence.

20 (3) The Council may, with the approval of the Minister, make regulations to prescribe the offences which may be compounded.

(4) All sums collected under this section shall be paid to the Council.

Jurisdiction of court

25 **61C.** Notwithstanding anything to the contrary in the Criminal Procedure Code (Cap. 68), a District Court shall have jurisdiction to try any offence under this Act and shall have power to impose the full penalty or punishment in respect of the offence.

Amendment of Schedule

30 **61D.** The Minister may, after consultation with the Council, by order amend the Schedule.”.

Amendment of section 62

37. Section 62(2) of the Dentists Act is amended by inserting, immediately after paragraph (f), the following paragraph:

5 “(fa) define the scope of practice of registered oral health therapists;”.

Miscellaneous amendments

38. The Dentists Act is amended —

10 (a) by deleting the words “Dental Council” in the following provisions and substituting in each case the words “Singapore Dental Council”:

Long title, sections 2 (definition of “President”) and 3(1) and the section heading;

(b) by inserting, immediately after the word “dentists” in the following provisions, the words “and oral health therapists”:

15 Long title and section 62(2)(b);

(c) by deleting the words “DENTAL COUNCIL” in the heading to Part II and substituting the words “SINGAPORE DENTAL COUNCIL”;

20 (d) by inserting, immediately after the words “a dentist” in the following provisions, the words “or an oral health therapist”:

Sections 4(a), 25(1), 27(a), 29(1) and 49(1)(b) and (c) and (7);

(e) by inserting, immediately after the words “registered dentists” in the following provisions, the words “and registered oral health therapists”:

25 Sections 4(b), (d) and (e) and 62(2)(f);

(f) by inserting, immediately after the words “registered dentist” wherever they appear in the following provisions, the words “or registered oral health therapist”:

30 Sections 7(b), 24(1), (2) and (4) and the section heading and 49(1), (2) and (5);

(g) by deleting the word “register” wherever it appears in the following provisions and substituting in each case the words “appropriate register”:

Sections 17(8), 19, 20(1)(a), (b), (c) and (d) and the section heading, 21 (section heading), 27(b), 49(1)(d) and (7), 53(2) and the section heading and 62(2)(c) and (g); and

(h) by deleting the word “register” in the following provisions and substituting in each case the words “Register of Dentists”:

Sections 31(1), (2) and (3) and 61(b).

Consequential amendments to other written laws

39. The provisions of the Acts specified in the first column of the Schedule are amended in the manner set out in the second column thereof.

Transitional and savings provisions

40.—(1) This Act shall not apply to any inquiry, investigation or other proceedings of a disciplinary nature commenced before the appointed day and the provisions of the Dentists Act and the regulations made thereunder in force immediately before that day shall continue to apply to that inquiry, investigation or proceedings as if this Act had not been enacted.

(2) The change of the name of the Dental Council to the Singapore Dental Council under this Act shall not —

(a) operate to create a new legal entity;

(b) prejudice or affect the identity of the body corporate constituted by the Council or its continuity as a body corporate;

(c) affect the exercise of any right, or the enforcement of any obligation by or against the Council, or any other person; or

(d) render defective any legal proceedings by or against the Council,

and any legal proceedings that might have been continued or started by or against it by its former name may be continued or started by or against it by its new name “Singapore Dental Council”.

(3) Any contract, arrangement or other transaction purporting to be entered into by the Dental Council, or by any person on behalf of the Council, prior to the appointed day shall bind the Council as if the Council had been a party to the contract, arrangement or transaction, as the case may be.

(4) Any order, ruling or direction made or given by the Dental Council under the Dentists Act in force immediately before the appointed day shall be treated as an order, a ruling or a direction under this Act and shall have the same force and effect as if it had been made or given by the Singapore Dental Council under the powers vested in the Singapore Dental Council under this Act.

(5) Any person who holds office as a member of the Dental Council immediately before the appointed day shall continue to be a member of the Singapore Dental Council subject to the same terms and conditions which were in force immediately before that day.

(6) Every person who is registered under the provisions of the Dentists Act in force immediately before the appointed day shall as from that day be deemed to be a registered dentist under the provisions of this Act and the Registrar shall —

(a) transfer to the first division of the Register of Dentists —

(i) under Part I, the names, addresses, qualifications and other particulars of all dentists registered under section 14(1)(a) of the Dentists Act in force immediately before the appointed day which appear, immediately before that day, in the register kept under that Act; and

(ii) under Part II, the names, addresses, qualifications and other particulars of all dentists conditionally registered under section 14(1)(b), (c) and (d) of the Dentists Act in force immediately before the appointed day which appear, immediately before that day, in the register kept under that Act;

(b) transfer to the second division of the Register of Dentists the names, addresses, qualifications and other particulars of all dentists which appear, immediately before the appointed day, in the second division of the register kept under the Dentists Act in force immediately before that day; and

(c) transfer to the Register of Temporarily Registered Dentists the names, addresses, qualifications and other particulars of dentists registered for a limited period which appear, immediately before the appointed day, in the first division of the register kept under the Dentists Act in force immediately before that day.

(7) Notwithstanding anything contained in this Act, a person who, immediately before the appointed day, was practising dentistry as an oral health therapist shall be entitled to carry on as such —

- 5 (a) for a period of 6 months (or such further period as the Minister may specify) from the appointed day; and
- (b) if before the expiration of that period the person applies for a practising certificate, until the practising certificate is granted or finally refused or the application is withdrawn.

10 (8) Any reference in any written law or document to the Dental Council and to the Dentists Act shall be read as a reference to the Singapore Dental Council and the Dental Registration Act, respectively.

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

15 (10) In this section, “appointed day” means the date of commencement of this Act.

THE SCHEDULE

Section 39

CONSEQUENTIAL AMENDMENTS TO OTHER WRITTEN LAWS

<i>First column</i>	<i>Second column</i>
<p>(1) Biological Agents and Toxins Act (Chapter 24A, 2006 Ed.)</p> <p>Section 2</p>	<p>Delete the words “Dentists Act” in the definition of “registered medical practitioner” and substitute the words “Dental Registration Act”.</p>
<p>(2) Children and Young Persons Act (Chapter 38, 2001 Ed.)</p> <p>Section 2(1)</p>	<p>Delete the words “Dentists Act” in the definition of “registered medical practitioner” and substitute the words “Dental Registration Act”.</p>

<i>First column</i>	<i>Second column</i>
<p>(3) Criminal Law (Temporary Provisions) Act (Chapter 67, 2000 Ed.) Section 27(1)</p>	<p>Delete the words “Dentists Act” in the definition of “registered medical practitioner” and substitute the words “Dental Registration Act”.</p>
<p>(4) Employment Act (Chapter 91, 1996 Ed.) Section 2</p>	<p>Delete the words “Dentists Act” in the definition of “medical officer” and substitute the words “Dental Registration Act”.</p>
<p>(5) Intoxicating Substances Act (Chapter 146A, 2001 Ed.) Section 26A(1)</p>	<p>Delete the words “Dentists Act” in the definition of “registered medical practitioner” and substitute the words “Dental Registration Act”.</p>
<p>(6) Medicines Act (Chapter 176, 1985 Ed.) Section 2(1)</p>	<p>Delete the definition of “dentist” and substitute the following definition:</p> <p style="padding-left: 40px;">“ “dentist” means a person registered under the Dental Registration Act (Cap. 76) whose name appears in the first division of the Register of Dentists;”.</p>
<p>(7) Misuse of Drugs Act (Chapter 185, 2001 Ed.) Section 40A(1)</p>	<p>Delete the words “Dentists Act” in the definition of “registered medical practitioner” and substitute the words “Dental Registration Act”.</p>

<i>First column</i>	<i>Second column</i>
<p>(8) Poisons Act (Chapter 234, 1999 Ed.)</p> <p>Section 2</p>	<p>Delete the words “Dentists Act 1999 (Act 24 of 1999)” in the definition of “registered dentist” and substitute the words “Dental Registration Act (Cap. 76)”.</p>
<p>(9) Private Hospitals and Medical Clinics Act (Chapter 248, 1999 Ed.)</p> <p>(a) Section 2</p> <p>(b) Section 10(2)</p> <p>(c) Section 13(2)</p>	<p>Delete the words “Dentists Act 1999 (Act 24 of 1999)” in the definition of “dentist” and substitute the words “Dental Registration Act (Cap. 76)”.</p> <p>Delete the words “Dental Council established under the Dentists Act 1999 (Act 24 of 1999)” in paragraph (b) and substitute the words “Singapore Dental Council established under the Dental Registration Act (Cap. 76)”.</p> <p>Delete the words “Dentists Act 1999 (Act 24 of 1999)” in paragraph (b) and substitute the words “Dental Registration Act (Cap. 76)”.</p>
<p>(10) Radiation Protection Act (Chapter 262, 1992 Ed.)</p> <p>Section 2</p>	<p>Delete the definition of “registered dentist” and substitute the following definition:</p> <p style="padding-left: 40px;">““registered dentist” means a person registered under the Dental Registration Act (Cap. 76) whose name appears in the first division of the Register of Dentists;”.</p>

<i>First column</i>	<i>Second column</i>
<p>(11) Registration of Criminals Act (Chapter 268, 1985 Ed.)</p> <p>Section 13A(1)</p>	<p>Delete the words “Dentists Act” in the definition of “registered medical practitioner” and substitute the words “Dental Registration Act”.</p>
<p>(12) Statutory Corporations (Contributions to Consolidated Fund) Act (Chapter 319A, 2004 Ed.)</p> <p>The Schedule</p>	<p>Delete item 11 and substitute the following item:</p> <p style="margin-left: 40px;">“11. Singapore Dental Dental Registration Act Council (Chapter 76)”.</p>

EXPLANATORY STATEMENT

This Bill seeks to amend the Dentists Act (Cap. 76) primarily for the following purposes:

- (a) to provide for the registration of dental specialists;
- (b) to provide for the compulsory registration and regulation of oral health therapists in line with international practice of dentistry;
- (c) to extend the jurisdiction of the Singapore Dental Council (the Council) in relation to disciplinary proceedings and to make certain changes to the provisions for disciplinary proceedings so that they are in line with those in the Medical Registration Act (Cap. 174);
- (d) to provide for the establishment of the Dental Specialists Accreditation Board and Interim Orders Committees; and
- (e) to empower the Council to prescribe compoundable offences and to compound offences.

The Bill also makes certain technical amendments to the Act and consequential amendments to certain other written laws.

Clause 1 relates to the short title and commencement.

Clause 2 amends section 1 to reflect the change of name of the Act.

Clause 3 amends section 2 to insert 5 new definitions of “appropriate register”, “Chief Dental Officer”, “healthcare professional”, “registered oral health therapist” and “Singapore degree” and to make amendments to certain other definitions which are consequential to the introduction of oral health therapists.

Clause 4 amends section 3 to include the Chief Dental Officer and the Dean of the Faculty of Dentistry of the National University of Singapore as members of the Council and to allow at least one registered oral health therapist to be appointed as a member of the Council.

Clause 5 amends section 4 to allow the Council to provide administrative services to other statutory boards responsible for the regulation of healthcare professionals such as the Singapore Medical Council and the Singapore Nursing Board.

Clause 6 repeals and re-enacts section 5 to provide that every fully registered dentist whose name appears in the first division of the Register of Dentists and who is resident in Singapore and has in force a practising certificate on the day of election of candidates as members of the Council must vote for the election of such members.

Clause 7 amends section 8 to provide that any person elected or appointed to fill a vacancy in the Council is to hold office for the remainder of the term for which the vacating member was elected or appointed.

Clause 8 amends section 9(3) to provide that 5 members will form a quorum at any meeting of the Council.

Clauses 9 and 10 provide for amendments consequential to the registration of oral health therapists by amending the Part heading to Part III and by inserting a new Division 1 to re-organise the Part into Divisions.

Clause 11 amends section 12 to provide that the Chief Dental Officer will be the Registrar of the Council (the Registrar).

Clause 12 repeals and re-enacts sections 13 and 14 and inserts a new Division 2 and 3 new sections, namely - sections 14A, 14B and 14C.

The new section 13 provides for the following 4 registers to be kept and maintained by the Registrar:

- (a) the Register of Dentists;
- (b) the Register of Temporarily Registered Dentists;
- (c) the Register of Specialists; and
- (d) the Register of Oral Health Therapists.

The new sections 14, 14A, 14B and 14C set out the qualifications for registration as fully registered dentists, conditionally registered dentists, temporarily registered dentists and specialists, respectively.

Clause 13 makes a consequential amendment to section 15(5) arising from the insertion of the new sections 14A and 14B.

Clause 14 amends section 17 to allow the Council to refuse to grant or renew the practising certificate of a registered dentist if the registered dentist has contravened any condition imposed by the Council.

Clause 15 repeals section 18 which is no longer required.

Clause 16 amends section 20 to provide that the Registrar will remove the name of a dentist from the appropriate register if he has requested and shown sufficient reason for such removal. The clause also removes the requirement for the Registrar to ensure that a dentist has no address in Singapore before his name is removed from an appropriate register.

Clause 17 makes technical amendments to section 21(1) consequential to the insertion of the new sections 14A, 14B and 14C.

Clause 18 inserts a new Division 3 (comprising the new sections 21A to 21H) to provide for the registration of oral health therapists.

The new section 21A sets out the qualifications for registration as oral health therapists under Parts I and II of the Register of Oral Health Therapists.

The new section 21B details the application procedure for registration as an oral health therapist.

The new section 21C relates to the establishment and functions of the Oral Health Therapists Accreditation Committee.

The new section 21D provides for the issue of a certificate of registration by the Council to a registered oral health therapist.

The new section 21E details the application procedure for a practising certificate of a registered oral health therapist.

The new section 21F provides for a certificate of the Registrar to be sufficient evidence of certain facts stated in the certificate.

The new section 21G allows the Registrar to correct the Register of Oral Health Therapists under certain circumstances.

The new section 21H empowers the Council to remove the name of any person from the Register of Oral Health Therapists on certain grounds.

Clause 19 amends section 22 to exempt any registered oral health therapist who practises dentistry in Singapore in accordance with the scope of practice prescribed under section 62 from the prohibition of practising dentistry.

The clause also makes a consequential amendment to section 22(1) arising from the repeal of section 59 by clause 34.

Clause 20 makes a consequential amendment to section 25(1) arising from the amendments made by clause 26.

Clause 21 inserts a new subsection to section 26 to prohibit the use by any person of the title of an oral health therapist if he is not a registered oral health therapist who has in force a practicing certificate.

Clause 22 repeals and re-enacts section 30 to provide that no qualification will be entered in an appropriate register unless the Registrar is satisfied by such evidence as he may consider proper that the person claiming the qualification is entitled to the qualification, and for the entry of additional qualifications in the appropriate register.

Clause 23 makes amendments to section 31 which are consequential to the introduction of oral health therapists.

Clause 24 inserts a new section 31A to prohibit the use by a registered dentist of the title of a specialist of a particular branch of dentistry if he is not registered under section 14C as such specialist.

Clause 25 inserts a new Part IVA (comprising the new sections 32A and 32B) which relates to the establishment and functions of the Dental Specialists Accreditation Board.

Clause 26 repeals sections 33 to 47 and re-enacts sections 33 to 43.

The new section 33 relates to the appointment of the Complaints Panel.

The new section 34 deals with any complaint or information relating to a registered dentist or registered oral health therapist and the referral of such complaint or information to the chairman of the Complaints Panel by the Council. Where a matter is referred to the chairman of the Complaints Panel, the chairman must lay the complaint or information before a Complaints Committee which must inquire into the complaint or information. The section also enables the Council to refer any information on the conviction of a registered dentist or registered oral health therapist to the chairman of the Complaints Panel even though it has not received any complaint or information of such conviction from any person.

The new section 35 provides for the procedures of a Complaints Committee and also enables —

- (a) a Complaints Committee to inquire into any information received by it that is not part of the complaint it is inquiring into; and
- (b) an inquiry to be commenced or carried on despite the withdrawal of the complaint.

The new section 36 deals with the findings and determination of the Complaints Committee and the orders that the Committee may make after due inquiry into a complaint or information. Where a formal inquiry by a Disciplinary Committee is ordered by the Complaints Committee, the Council must appoint a Disciplinary Committee to hear and investigate the complaint or matter.

The new section 37 deals with the appointment of a Disciplinary Committee and its constitution, functions and powers.

The new section 38 provides for the proceedings of a Disciplinary Committee.

The new section 39 provides that where in the course of an inquiry it appears to the Disciplinary Committee that the fitness of a registered dentist or registered oral health therapist to practise may be impaired by reason of his physical or mental condition, the Disciplinary Committee may refer and transfer that case to the Health Committee.

The new section 40 relates to the findings and determination of the Disciplinary Committee and the powers that the Disciplinary Committee may exercise after hearing and investigating any matter referred to it.

The new section 41 enables a Disciplinary Committee to exercise certain powers in the event of a breach of any order under the new section 40(2)(c) or any order for interim restricted registration made under the new section 49C(1)(b) or 49E(1)(d). The section also provides for the powers which a Disciplinary Committee may exercise upon the breach of any suspension order by a person. The section also allows any person who is aggrieved by any order made by the Disciplinary Committee or by any variation of the condition therein to, within 30 days after the service on him of the notice of the order, appeal to the High Court whose decision will be final.

The new section 42 deals with the restoration of names to an appropriate register. Where the name of a dentist or an oral health therapist has been removed from an appropriate register pursuant to an order made by the Disciplinary Committee, the Council may, if it thinks fit, direct his name to be restored to the appropriate register except that no application for the restoration of a name to an appropriate register is to be made to the Council —

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

and unless he has complied with all the terms of the order made against him.

The new section 43 provides that a Disciplinary Committee may report any breach of any written law disclosed in the course of an inquiry to the appropriate authorities.

Clause 27 makes a consequential amendment to section 48(1) arising from the repeal of section 39. The clause also deletes subsections (4) and (5) which are no longer required.

Clause 28 makes consequential amendments to section 49 arising from the introduction of Interim Orders Committees to the Act. The clause also amends subsection (8) and introduces 2 new subsections (subsections (3A) and (8A)) to provide for the powers and proceedings of a Health Committee.

Clause 29 inserts a new section 49A and a new Division 3A.

The new section 49A provides that a dentist or an oral health therapist whose name is ordered to be removed from an appropriate register by a Health Committee may not apply for the restoration of his registration more than once every 12 months and enables the Council to re-register that person with conditional registration.

The new Division 3A (comprising the new sections 49B to 49J) enables the Council to appoint Interim Orders Committees with the power to suspend or restrict the practice of a registered dentist or registered oral health therapist in the public interest or for

public safety, until the outcome of the disciplinary or health inquiry against him becomes known.

The new section 49B sets out the constitution of an Interim Orders Committee and provides for matters relating to the proceedings before the Committee.

The new section 49C provides for the interim orders which an Interim Orders Committee may make, namely an interim suspension order and an order for interim restricted registration.

The new section 49D states the period within which an interim order must be reviewed by an Interim Orders Committee.

The new section 49E enables an Interim Orders Committee to revoke, vary or replace an interim order upon its review or the recommendation of a Complaints Committee, a Disciplinary Committee or the Health Committee.

The new section 49F requires a registered dentist or registered oral health therapist to be given a right of hearing before an Interim Orders Committee as to whether an interim order should be made against him.

The new section 49G enables the Council to apply to the High Court to extend an interim order, and enables the registered dentist or registered oral health therapist concerned to apply to the High Court to revoke, vary, or substitute the period of, an interim order.

The new section 49H sets out the duration of an interim order.

The new section 49I provides that a person suspended under an interim suspension order will not be regarded as registered under the Act.

The new section 49J enables the Council to appoint an advocate and solicitor for the purposes of inquiries by a Disciplinary Committee, the Health Committee and an Interim Orders Committee.

Clause 30 repeals sections 50, 51 and 52 which are no longer required.

Clause 31 makes consequential amendments to section 53 arising from the new section 13 which provides for the Register of Dentists, the Register of Temporarily Registered Dentists, the Register of Specialists and the Register of Oral Health Therapists.

Clause 32 inserts a new section 53A to provide for the recovery of penalties imposed by the Council under sections 5 and 40 and costs by the Council as a debt due to it.

Clause 33 makes technical amendments to section 57 consequential to the introduction of Interim Orders Committees to the Act.

Clause 34 repeals section 59 which is no longer required consequential to the registration of oral health therapists.

Clause 35 makes a technical amendment to section 61 consequential to the insertion of the new section 61A.

Clause 36 inserts 4 new sections, namely - sections 61A to 61D.

The new section 61A allows the Minister to exempt any person or class of persons from any or all of the provisions of the Act or any regulations made thereunder.

The new section 61B allows the Council to prescribe compoundable offences and to compound offences.

The new section 61C confers jurisdiction on a District Court to try any offence under the Act and to impose the full penalty or punishment in respect of the offence.

The new section 61D provides that the Minister may, after consultation with the Council, by order amend the Schedule.

Clause 37 amends section 62(2) to empower the Council to make regulations to define the scope of practice of registered oral health therapists.

Clause 38 provides for miscellaneous amendments to be made throughout the Act arising from the registration of oral health therapists, the change of name from Dental Council to Singapore Dental Council and the insertion of the new section 13 relating to the registers.

Clause 39 (to be read with the Schedule) makes consequential amendments to certain other written laws arising from the change of name of the Act.

Clause 40 provides for transitional and savings provisions.

EXPENDITURE OF PUBLIC MONEY

This Bill will not involve the Government in any extra financial expenditure.
