

# **Dentists (Amendment) Bill**

**No.**

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By Authority L. V. North, Government Printer Melbourne



# LEGISLATIVE COUNCIL

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Read 1° 7 September 1994

*(Brought in by the Honourable R. I. Knowles)*

## A BILL

to make various amendments to the **Dentists Act 1972** and for other purposes.

## **Dentists (Amendment) Act 1994**

The Parliament of Victoria enacts as follows:

### ***1. Purpose***

The purpose of this Act is to amend the **Dentists Act 1972** to—

- (a) include a power of entry; and
- (b) amend the regulation making powers.

### ***2. Commencement***

- (1) Section 1 and this section come into operation on the day on which this Act receives the Royal Assent.

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Section headings appear in bold italics and are not part of the Act.  
(See **Interpretation of Legislation Act 1984**.)

- (2) Subject to sub-section (3), the remaining provisions of this Act come into operation on a day or days to be proclaimed.
- (3) If a provision referred to in sub-section (2) does not come into operation within the period of 6 months beginning on, and including, the day on which this Act receives the Royal Assent, it comes into operation on the first day after the end of that period. 5

**3. *Principal Act***

In this Act, the **Dentists Act 1972** is called the Principal Act. 10

**4. *Amendment of regulation making powers***

After section 9 of the Principal Act **insert—**

**“9A. *General provisions as to regulations***

The regulations made under section 9 may apply, adopt or incorporate any matter contained in any document, code, standard, rule, specification, or method, formulated, issued, prescribed or published by any person, whether— 15

(a) wholly or partially or as amended by the regulations; or 20

(b) as formulated, issued, prescribed or published at the time the regulations are made or at any time before then; or 25

(c) as formulated, issued, prescribed or published from time to time.”.

**5. *Insertion of powers of entry***

After section 44 of the Principal Act **insert—**

**“45. *Powers of entry with warrant*** 30

- (1) A person appointed for that purpose by the Board, may apply to a magistrate for

the issue of a search warrant, if that person believes, on reasonable grounds—

(a) that there is or has been a contravention of this Act or the regulations on any premises; or

(b) that entry into or onto any premises is necessary for the purpose of investigating whether or not the registration of a dentist should be suspended or cancelled.

(2) A magistrate to whom such an application is made, if satisfied by evidence on oath or by affidavit that there are reasonable grounds for doing so, may issue a search warrant in accordance with the **Magistrates' Court Act 1989**.

(3) In addition to those matters authorised by section 78 of the **Magistrates' Court Act 1989**, a search warrant issued under sub-section (2) authorises the person to whom it is directed to inspect and take photographs (including video recordings) or make sketches, of the premises or anything at the premises.”.

