

Dental Technicians (Amendment) Bill

No.

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LEGISLATIVE ASSEMBLY

Read 1° 8 March 1995

(Brought in by Mrs Tehan and Mr McGrath (Wimmera))

A BILL

to amend the **Dental Technicians Act 1972** and for other purposes

Dental Technicians (Amendment) Act 1995

The Parliament of Victoria enacts as follows:

1. Purpose

The main purpose of this Act is to amend the **Dental Technicians Act 1972**—

- (a) to enable advanced dental technicians to make, fit, supply or repair partial dentures; and
- (b) to give further powers to the Dental Technicians Licensing Committee and the Advanced Dental Technicians Qualifications Board to suspend or cancel licences under that Act; and
- (c) to improve the administration of that Act.

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

2. Commencement

This Act comes into operation on the day on which it receives the Royal Assent.

3. Meetings—Committee

For section 3 (9) of the **Dental Technicians Act 1972 substitute—**

“(9) If the chairman is absent from a meeting of the Committee—

(a) the members present at the meeting may elect one of their number to preside at the meeting; and

(b) the member so elected shall preside at the meeting and shall have a second or casting vote.”.

4. Cancellation and suspension of dental technician’s licence

In section 9 of the **Dental Technicians Act 1972—**

(a) after sub-section (1) (c) **insert—**

“or

(d) who is incompetent in his or her practice as a dental technician; or

(e) who is guilty of improper or discreditable conduct in relation to his or her practice as a dental technician.”; and

(b) in sub-section (4) (a) for “contravention or nature of the conduct alleged” **substitute** “grounds for the inquiry”.

5. Meetings—Board

For section 16 (8) of the **Dental Technicians Act 1972 substitute—**

“(8) If the chairman is absent from a meeting of the Board—

- (a) the members present at the meeting may elect one of their number to preside at the meeting; and
- (b) the member so elected shall preside at the meeting and shall have a second or casting vote.”.

6. *Cancellation and suspension of advanced dental technician’s licence*

In section 24 of the **Dental Technicians Act 1972**—

(a) after sub-section (1) (c) **insert**—

“or

(d) who is incompetent in his or her practice as an advanced dental technician; or

(e) who is guilty of improper or discreditable conduct in relation to his or her practice as an advanced dental technician.”; and

(b) in sub-section (4) (a) for “contravention or nature of the conduct alleged” **substitute** “grounds for the inquiry”.

7. *New section 26A inserted*

After section 26 of the **Dental Technicians Act 1972** **insert**—

‘26A. *Endorsement of licence in relation to partial dentures*

(1) An advanced dental technician may apply to the Board for an endorsement of his or her licence to permit him or her to make, fit, supply or repair partial artificial dentures.

(2) A person who applies for a licence as an advanced dental technician may also apply to the Board for the endorsement of that licence to permit him or her to

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make, fit, supply or repair partial artificial dentures.

- (3) An application under sub-section (1) or (2) must be accompanied by the prescribed fee.
- (4) If an application is made under sub-section (1), the Board must endorse the advanced dental technician's licence if the Board is satisfied that the advanced dental technician—
 - (a) has satisfactorily completed the prescribed course of training; and
 - (b) has paid the prescribed application fee.
- (5) If an application is made under sub-section (2) and the Board grants the licence, the Board must endorse that licence if the Board is satisfied that the advanced dental technician—
 - (a) has satisfactorily completed the prescribed course of training; and
 - (b) has paid the prescribed application fee.
- (6) In this section “**prescribed course of training**” means—
 - (a) the Partial Denture Bridging Course for Advanced Dental Technicians at the Royal Melbourne Institute of Technology; or
 - (b) any other course of training in the making and fitting of partial dentures which is prescribed in addition to or in substitution for that course.
- (7) Before recommending the making of a regulation prescribing a course of training for the purposes of this section,

the Board must ensure that the course has been endorsed by the head of the School of Dental Science of the University of Melbourne.’.

8. *Partial denture work*

(1) In section 28 (3) of the **Dental Technicians Act 1972**—

(a) in paragraph (a) after “teeth” (where secondly occurring) **insert** “except in accordance with sub-section (4)”; and

(b) after paragraph (a) **insert**—

“(aa) fit dentures to a jaw in which there are natural teeth if this involves any restoration or modification of the natural teeth or jaw or part of the natural teeth or jaw;”; and

(c) after paragraph (c) **insert**—

“(d) fit dentures to a jaw unless the dentures are removable by the wearer.”.

(2) After section 28 (3) of the **Dental Technicians Act 1972** **insert**—

“(4) Subject to sub-section (3) (aa), (b) and (c), an advanced dental technician may make, fit, supply or repair dentures to be fitted to a jaw in which there are natural teeth if—

(a) the advanced dental technician’s licence has been endorsed under section 26A; and

(b) the person for whom the dentures are to be made, fitted, supplied or repaired has provided the advanced dental technician with a certificate of oral health signed by a dentist within the previous 12 months.”.

9. *Regulations*

In section 32 of the **Dental Technicians Act 1972**—

(a) for “The Governor” **substitute** “(1) The Governor”; and

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- (b) in paragraph (e) after “occupation” insert “(including the regulation of infection control procedures)”; and
- (c) at the end of the section insert—
 - “(2) A regulation under sub-section (1) (e) may apply adopt or incorporate, either wholly or in part and with or without any modification, any matter contained in any document as in force or as issued or published at a particular time or as in force or as issued or published from time to time.”.

10. Statute law revision

- (1) Section 1 (3) of the **Dental Technicians Act 1972** is **repealed**.
- (2) In section 26 (1) and (2) of the **Dental Technicians Act 1972** for “Licensing” substitute “Qualifications”.