

DENTISTS REGISTRATION ORDINANCE, 1941. ⁽¹⁾

No. 4 of 1941.

An Ordinance to provide for the Registration of Persons Engaged in Dental Practice.

BE it ordained by the Legislative Council for the Territory of Papua, in pursuance of the powers conferred by the *Papua Act, 1905-1940*, as follows:—

1. This Ordinance may be cited as the *Dentists Registration Ordinance, 1941.*⁽¹⁾ Short title.

2. This Ordinance shall commence on a date to be fixed by the Administrator by Proclamation in the *Gazette.*⁽¹⁾ Commencement.

3. In this Ordinance unless the contrary intention appears:— Interpretation.
 - “Chief Medical Officer” means the Chief Medical Officer of the Territory.
 - “Registrar” means the Registrar-General of the Territory.

4. The Registrar shall keep a register to be called the “Register of Dentists.” Register.

- 5.—(1.) A person shall be registered by the entering in the register of his name and such other particulars relating to him as are prescribed. Registration.
 - (2.) No such entry shall be made in the register unless the application for registration is accompanied by such certificates as may be prescribed.

6. Any dentist duly qualified as such under the law in force in any State or Territory of or under the control of the Commonwealth may make application to the Registrar to be registered under the provisions of the Ordinance. Qualifications.

(1) Particulars of this Ordinance are as follows:—

Date of assent by Administrator.	Date notified in <i>Papua Govt. Gaz.</i> as not disallowed by Gov.-Gen. in Council.	Date on which came into operation.
17.7.1941	16.10.1941	1.11.1941 (<i>Papua Govt. Gaz.</i> of 1.10.1941)

HEALTH--

Method of application.

7. Subject to the provisions of Subsection (2.) of Section Five the Registrar shall upon receipt of any such application and certificates together with a fee of Five guineas register the applicant accordingly. The form of application shall be as prescribed.

Annual publication.

8. The Registrar shall once in every year publish in the *Gazette* a true copy of the register which when so published shall be prima facie evidence of the registration of the persons named therein.

Publication of registration.

9. The Registrar shall also at the time of making a registration in the register publish in the *Gazette* as soon as practicable a copy of the registration.

Procuring registration by false representation.

10. Any person who procures himself to be registered under this Ordinance by the means of any false or fraudulent representation or by the production of any false certificate or testimonial shall be guilty of an offence.

Penalty: One hundred pounds.

Additions to registration and change of address.

11.—(1.) Any dentist registered under this Ordinance who subsequent to registration obtains some further degree or qualification may have the same inserted in the register upon payment of the prescribed fee.

(2.) Every change of address shall be notified to the Registrar within one month thereof and such change of address shall be entered in the register upon payment of the prescribed fee.

Penalty: Five pounds.

Removal from register.

12. The Registrar shall remove from the register the name of any dentist—

- (a) who has died;
- (b) if the Registrar has been given a certificate by the Chief Medical Officer that owing to—
 - (i) habitual drunkenness or habitual addiction to any drug; or
 - (ii) unprofessional conduct; or
 - (iii) any other offence as is prescribedthe registered dentist has in the opinion of such Chief Medical Officer become unfitted to practise his profession in the Territory:

Provided that any person aggrieved at the removal of his name from the register pursuant to this section may appeal against such removal to the Supreme Court.

Dentists Registration Ordinance, 1941.

- 13.—(1.) A person other than a registered dentist shall not—
- (a) give or perform for fee or reward any dental service attendance operation or advice; or
 - (b) in any manner whatsoever hold himself out as a person entitled to practise dentistry in the Territory.

Unqualified dentists not to practise.

(2.) Any person who permits any other person on his behalf to do any of the acts matters or things contrary to this section or any part thereof shall be guilty of an offence.

Penalty: One hundred pounds.

14. Notwithstanding anything contained in this Ordinance a duly qualified medical practitioner may perform any dental operation and may sue for the recovery of fees therefor in any Court of competent jurisdiction.

Qualified medical practitioners.

15. An unregistered person shall not sue or counter-claim for set-off or recover any charge or remuneration for any dental advice attention or operation.

Unregistered dentist not to sue.

16. Nothing in this Ordinance shall be deemed to limit the right of any person to give dental treatment in an emergency and where there is no registered dentist available provided that no fee or reward is accepted in respect thereof.

Emergency treatment.

17. Proceedings for offences against this Ordinance may be instituted in any Court of competent jurisdiction by any person thereto authorized in writing by the Chief Medical Officer.

Offences, proceedings for, how instituted.

18. The Administrator in Council may make such regulations⁽²⁾ under this Ordinance as may be necessary or convenient for carrying out or giving effect to this Ordinance.

Regulations.

(2) See the *Dentists Registration Regulations, 1941*, printed on p. 2168.