

An Act to amend and consolidate the Act to regulate the practice of dentistry in the Province of British Columbia.

Contributors

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CHAPTER 16.

An Act to amend and consolidate the "Act to Regulate the practice of Dentistry in the Province of British Columbia." C. A. 1888, c. 34.

[21st February, 1895.]

WHEREAS the profession of dentistry is extensively practiced in Europe, the United States and the Dominion of Canada; and whereas the said profession of dentistry is protected by law in Europe, the greater portion of the United States, and in parts of Canada; and whereas it is expedient for the further protection of the public that there should by enactment be established a certain standard of qualification required of each practitioner of the said profession or calling, and that certain privileges and protection should be afforded to such practitioners: Preamble.

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

1. This Act may be cited as the "Dentistry Consolidation Act, 1895." Short title.

2. It shall be unlawful for any person to practice, or attempt to practice, the profession of dentistry or dental surgery in the Province of British Columbia who is not a member of any College of Dentistry of any of the Provinces of the Dominion of Canada having authority to grant certificates of license to practice dentistry; or who is not a member of any College or School of Dentistry having like powers; and who does not produce sufficient evidence of such membership, and testimonials of good character; and who does not pass a satisfactory examination before the Board of Examiners duly authorized by this Act, and pay the required fees: No person to practice without a certificate. Provided that nothing in this Act

Exception in case of physicians and surgeons. shall be so construed as to prevent physicians and surgeons and others from extracting teeth, but no person extracting teeth under the powers conferred by this section, excepting properly qualified dentists, physicians or surgeons, shall collect payment for such extracting of teeth.

Who may collect fees.

Board of Examiners. **3.** A Board of Examiners, consisting of five practising dentists, residents of this Province, is hereby created, who shall issue certificates to persons in the practice of dentistry or dental surgery in this Province, and whose duty it shall be to carry out the purposes and enforce the provisions of this Act.

Appointed by Lieut.-Governor.

4. The members of the said Board of Examiners shall be appointed by the Lieutenant-Governor in Council, who shall select them from ten candidates, members of the British Columbia Dental Association, the said ten candidates' names to be submitted by the said British Columbia Dental Association. The term for which the members of said Board shall hold their offices shall be five years, except that the members of the Board first to be appointed under this Act shall hold their offices for the terms of one, two, three, four and five years, respectively, and until their successors have been duly appointed. In case of any vacancy occurring in such Board such vacancy shall be filled by the Lieutenant-Governor in Council from twice the number of names of members of the British Columbia Dental Association submitted to him.

Term of office.

Record of persons authorized to practice.

5. The said Board of Examiners shall keep a record in which shall be registered the names and residences or places of business of all persons authorized under this Act to practice dentistry in this Province. The said Board shall elect from its members a President, Secretary, and Treasurer, and shall meet at least once a year, or quarterly if required. A majority of the members of the said Board shall constitute a quorum.

Appointment of President and Secretary.

Persons desiring to be examined.

6. Every person desirous of being examined by the said Board touching his qualifications for the practice of the said profession of dentistry shall, at least one month before the sitting of the said Board, pay into the hands of the Secretary the required fees, together with satisfactory evidence of the qualification and requirements of section 2 of this Act.

Fees for certificate.

7. To provide for the proper enforcement of this Act the said Board of Examiners shall be entitled to the following fees, to wit: For each certificate issued to persons engaged in the practice of dentistry in this Province at the time of the passage of this Act, the sum of ten dollars; for each certificate issued to persons not engaged in the practice of dentistry at the time of the passage of this Act, the sum of thirty dollars.

8. There shall be allowed and paid to each of the members of the said Board of Examiners such fees for attendance, not exceeding ten dollars per day, and such reasonable travelling expenses, as the said Board shall allow from time to time; said expenses shall be paid out of the fees and penalties received by the said Board under the provisions of this Act.

Remuneration to Examiners.

9. All moneys shall be held by the Treasurer of said Board as a special fund for meeting the expenses of said Board, he giving such bonds as security as the Board may from time to time direct.

Application of funds.

10. The said Board at its first meeting, and from time to time thereafter, shall make such rules, regulations, and by-laws not inconsistent with the provisions of this Act as may be necessary for the proper and better guidance of the said Board, which rules, regulations, and by-laws shall first be published for one month in the British Columbia Gazette, and in one or more newspapers circulating in the Province. Any or all of which rules, regulations or by-laws shall be liable to be cancelled and annulled by an Order of the Lieutenant-Governor in Council.

Rules and regulations to be made and published.

11. The Secretary of the said Board shall, on or before the fifteenth day of January in each and every year, enclose to the Provincial Secretary an annual report of its proceedings, together with an account of all moneys received and disbursed by said Board of Examiners; also a list of the names of all persons to whom certificates have been granted, and the qualifications therefor, and such list shall be published in the Gazette.

Annual report to Provincial Secretary.

12. In case a charge is made against any licentiate of unprofessional conduct, or other misconduct provided for by the by-laws to be passed under the provisions of this Act, the Board of Examiners shall have power to hear and determine the same, and for this purpose to summon witnesses before them and administer an oath or affirmation to such witnesses, and if any licentiate shall be found guilty of the charge preferred against him he shall forfeit his certificate and title, and the same shall be cancelled, subject to appeal to a Judge of the Supreme Court if brought within ten days; such forfeiture, however, may be annulled and the said license and all rights and privileges thereunder fully renewed and restored by said Board in such manner and upon such conditions and terms as the said Board shall think fit: Provided, however, that nothing in this Act contained shall empower the said Board to deal with any criminal or other offence provided for by law.

Hearing of charges against licentiates.

Appeal to a Supreme Court Judge.

13. If any person after the period of three months after the passage of this Act, not holding a valid certificate, practices the said profession or calling of dentistry, or dental surgery, or wilfully and falsely pretends to hold a certificate under this Act; or takes or uses any name, addition, or description implying that he is duly authorized to practice

Persons practising without certificate.

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the profession or calling of dentistry, or dental surgery, he shall, upon a summary conviction thereof before any Justice of the Peace, for any and every such offence pay a penalty not exceeding one hundred dollars or less than twenty-five dollars, to be recovered on summary conviction, and the half of any such penalty shall be paid to the Board of Examiners; and it is further provided that no person who is not qualified under the provisions of this Act shall recover in any court of law for any work done or materials used by him in the ordinary work of a dentist.

Curriculum of studies for students.

14. The said Board shall also have the power and authority to fix and determine from time to time a curriculum of studies to be pursued by students, and to fix and determine the period for which every student shall be articulated and employed under some duly licensed practitioner, said term not to exceed three years, and the examination necessary to be passed before the Board, and the fees to be paid into the hands of the Secretary of said Board, before receiving a certificate of license to practice the profession of dentistry.

Cost of publications in Gazette, by whom borne.

15. All notices required by this Act to be published in the Gazette and all expenses to be incurred under this Act, shall be at the cost of the Board, to be paid out of the funds mentioned in section 9; in case of deficiency, to be levied by assessment against the members of the profession.

Repeals C. A. 1888, c. 34.

16. The "Act to regulate the Practice of Dentistry," Chap. 34, Consolidated Statutes, 1888, is hereby repealed.

 VICTORIA, B. C.:

Printed by RICHARD WOLFENDEN, Printer to the Queen's Most Excellent Majesty.

1895.