

a dentist in relati BILLE NA bhFIACLÓIRÍ, 1984 suspended from the DENTISTS BILL, 1984 s be attached to his

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EXPLANATORY MEMORANDUM establish a Register of Dentists, This will correspond to the Register

of Dentists for Ireland established under section 23 of the Dentists

1. The objects of the Dentists Bill, 1984, are

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continuing registration (section)

- (a) to provide for the setting up of a new body, to be called the Dental Council, whose main task will be-
 - (i) to register and control those engaged in the practice of dentistry,
 - (ii) to regulate the education and training of dentists at undergraduate and postgraduate levels,
- (b) to provide for the membership and method of appointment of the Council, Register not obliged, to establish, with the
- (c) to provide for the recognition and registration by the Council of both dental specialists and classes of auxiliary dental to (moban workers,
- (d) to up-date and extend the disciplinary provisions in relation to the professional conduct of dentists,
- (e) to assign to the Council functions in regard to the implementation of Directives of the European Economic Commuthe Councillation nity concerning mutual recognition, as between Member States, of qualifications in dentistry and the application of minimum standards of education and training specified for that class to such qualifications, T QUA MOITADUG
- (f) to repeal existing legislation dealing with the regulation of the Council in relation to the suitability of noiseaford lating, and the standards of knowledge and experience required for basic dental

qualifications and for specialist trainings Section 35 requires the Council to ensure that require InTRA9 this country for the qualifications and training under section 34 satisfy the minimum standards

Preliminary and General

2. This Part of the Bill contains the normal provisions on short title, interpretation, commencement and repeals.

Provision is made in section 65 for the continuance for the time being of an agreement concerning registration and control of dentists conof an agreement concerning revisible h and control of dentists con-cluded in 1928 with Great BrPART II Northern Ireland, and for the

THE DENTAL COUNCIL

3. Part II makes provision for the dissolution of the Dental Board established under the Dentists Act, 1928. It provides for the establishment, membership and method of appointment of the Dental

Council, the appointment of a chief officer and other staff of the Council and for certain conditions of service of such staff. It also makes provision for the financial affairs of the Council, including the charging of fees for services rendered by the Council under the provisions of the Bill.

PART III

BILLE NA bhFIACLÓIRÍ, 1984 REGISTRATION

- 4. Part III provides for the establishment of two statutory registers of dentists.
- 5. The Council will be obliged under section 26 to prepare and establish a Register of Dentists. This will correspond to the Register of Dentists for Ireland established under section 23 of the Dentists Act, 1928. Section 27 outlines the classes of persons entitled to be registered in the register. These include qualified dentists graduating from dental schools in the State, nationals of other Member States of the European Economic Community awarded recognised dental qualifications in any Member State and other persons who satisfy the hombairle Figno sa Bh Dental Council that their dental training and qualifications are of an suage The Denadequate standard. There is an appeals procedure against refusal by gabhail do the Council to register a person. Section 28 provides for temporary engaged in the chlard agus registration of dentists. This will apply in the main to dentists coming ovide for other to the State for the purposes of undergoing postgraduate training or of dentistry and acquiring postgraduate qualifications.
 - dheanamh so 6. Under section 29, the Dental Council will be empowered, but Act, 1983, and 1928, agus not obliged, to establish, with the consent of the Minister, a Register needed with the of Dental Specialists. This will enable the introduction at a future date, if it is so decided, of the practice in some Member States of the European Economic Community (but not in the United Kingdom) of operating a system of statutory registration for dental specialists, such as orthodontists and oral surgeons. and business and oral surgeons.
 - 7. Section 30 outlines the classes of persons who will be entitled to be registered in the Register of Dental Specialists if such a register is tation of Directives of the European Econom. behaldates

nity concerning mutual recognition, as between Member States, of qualificaVInTAAQutistry and the application of

o lo shabnate muthinismator James Dooge, An Seanadóir Séophellissas ghiaiseas l EDUCATION AND TRAINING HALL AN

8. Section 34 provides for the assignment of functions to the Dental Council in relation to the suitability of education and training, and the standards of knowledge and experience required for basic dental qualifications and for specialist training. Section 35 requires the Council to ensure that requirements in this country for the qualifications and training under section 34 satisfy the minimum standards specified in any Directive adopted by the European Economic Community. Section 36 refers to the basic dental qualifications granted in ARNA PHOIL the State which will give entitlement to registration. To any shall conserv office Le ceannach direach & Oilig Dhioita Foilseachán Rialtais,
Teach Sun Altiance, Sráid Theach Laighean, Baile A PART V from the Government Publications Sale Office,
Cliath 2, nó trí ann díoltóir leabhar.

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9. The aim of this Part of the Bill is to up-date and extend the disciplinary powers in relation to the practice of dentistry and to ensure that these powers are compatible with the provisions of the Constitution of the State. As well as alleged professional misconduct the Dental Council will be empowered, under section 38, to deal with Wt. 143484/F/3. 1,000. 3/84. Cahill. (7423). G.16.

alleged unfitness to practise by reason of physical or mental disability. The statutory powers of the Dental Board at present provide only for the erasure of a dentist's name from the register. It is proposed that the Dental Council should have broader powers enabling it not alone to erase from the register (sections 39 and 42), but to suspend a dentist's registration (section 39), to attach conditions to a dentist's continuing registration (section 40) and to advise, admonish or censure a dentist in relation to his professional conduct (section 41). Where the Council has decided that a dentist's name should be erased or suspended from the register, or that conditions be attached to his continuing registration, he will have the right to apply to the High Court for cancellation of the Council's decision. Provision is also made for the restoration to the register of a dentist's name which had been removed.

PART VI

RESTRICTIONS ON PRACTICE OF DENTISTRY

10. Part VI defines "the practice of dentistry" and makes it unlawful for any person other than a registered dentist to practise dentistry or to use the title of dentist, dental surgeon or dental practitioner. Section 52 (2) provides for exemptions from the general prohibition on the practice of dentistry by unregistered persons in the case of registered medical practitioners, students of dental and medical schools, and auxiliary dental workers performing certain dental work in accordance with a scheme made by the Dental Council under the provisions of section 54 of Part VII of the Bill.

PART VII

AUXILIARY DENTAL WORKERS

11. Under Part VII the Dental Council may, with the consent of the Minister, make schemes for the establishment of classes of auxiliary dental workers (section 54). Schemes may provide for the determination of the nature of the dental work any particular class of auxiliary dental worker may undertake and for the registration of each such class established. Section 56 empowers the Minister to direct the Council to make a scheme for the establishment of a particular class of auxiliary dental worker, including establishment for an experimental period to enable the value to the public of the existence of that class to be judged.

PART VIII

MISCELLANEOUS

12. Part VIII contains various miscellaneous provisions connected with the Bill. These include the assigning to the Dental Council of functions in regard to any Directive in relation to dentistry adopted by the European Economic Community (section 60) and the making by the Minister of regulations and adaptations (sections 63 and 64). Provision is made in section 65 for the continuance for the time being of an agreement concerning registration and control of dentists concluded in 1928 with Great Britain and Northern Ireland, and for the eventual cessation of that agreement. The provisions of this agreement are now unnecessary because of the mutual recognition of dental qualifications between Member States of the European Economic Community, following the adoption by the Community of Directives providing for this and for the harmonisation of dental education and training. Consultation is proceeding with the United Kingdom authorities in relation to the agreement.

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13. This Schedule contains detailed rules regarding membership and meetings of the Dental Council.

dentist's registration (section 39), to attach conditions to a dentist's continuing registration AUDIANS CHOOSE, admonish or censure

a dentist in relation to

14. This Schedule lists the primary qualifications in dentistry granted in the State which will entitle a person to registration.

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The provisions of section 54 of Part VII of the bill.

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