



BILLE NA bhFIACLÓIRÍ, 1984

DENTISTS BILL, 1984

EXPLANATORY MEMORANDUM

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

(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,

(c) to provide for the recognition and registration by the Council of both dental specialists and classes of auxiliary dental 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 Community concerning mutual recognition, as between Member States, of qualifications in dentistry and the application of minimum standards of education and training specified for such qualifications,

(f) to repeal existing legislation dealing with the regulation of the dental profession.

PART I

PRELIMINARY AND GENERAL

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

PART II

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

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 Dental Council that their dental training and qualifications are of an adequate standard. There is an appeals procedure against refusal by the Council to register a person. *Section 28* provides for temporary registration of dentists. This will apply in the main to dentists coming to the State for the purposes of undergoing postgraduate training or acquiring postgraduate qualifications.

6. Under *section 29*, the Dental Council will be empowered, but not obliged, to establish, with the consent of the Minister, a Register 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.

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 established.

PART IV

EDUCATION AND TRAINING

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 the State which will give entitlement to registration.

PART V

FITNESS TO PRACTISE

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

Mar a leasaíodh i gCoiste
As amended in Committee

RESTRICTIONS ON PRACTICE OF DENTISTRY

FIRST SCHEDULE

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

SECOND SCHEDULE

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

*An Roinn Sláinte,
Márta, 1984.*

5. The Minister 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, and persons who have been registered in the register of dentists in any other Member State of the European Economic Community for a period of not less than 12 months immediately preceding the date of their application for registration. Section 28 provides for exemption from the general provisions on the practice of dentistry by 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 34 of Part VII of the Bill.

6. Under section 29, the Dental Council will be empowered, but not obliged, to establish, with the consent of the Minister, a Register of Dental Specialists. This will come into effect at a future date, if it is so decided, in 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 dentists. 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 30). Schemes may provide for the determination of the nature of the dental work and particular class of auxiliary dental worker may undertake and for the registration of each such class established. Section 30 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.

8. Section 34 provides for the assignment of functions to the Dental Council in relation to the supply 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 training in this country for the qualifications in dentistry is of a standard which is not less than that required for the qualifications in dentistry in any other Member State of the European Economic Community. The Bill also contains various miscellaneous provisions connected with the Bill. These include the transfer of the functions of the Council in relation to the practice of dentistry, adopted by the European Economic Community (section 36) and the making of regulations and adaptations (sections 37 and 38). Provision is made in section 39 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 the harmonisation of dental education and training. Consultation is proceeding with the United Kingdom and Ireland in relation to the agreement.