CHAPTER 32:03
DENTAL REGISTRATION ACT

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CHAPTER 32:03

DENTAL REGISTRATION ACT

An Act to provide for the registration of dental practitioners, dentist extenders and dental technicians and for purposes connected therewith.

[31ST DECEMBER, 1996]

PART I

PRELIMINARY

1. This Act may be cited as the Dental Registration Act. 

2. In this Act—

“Council” means the Dental Council established by section 3;

“dental practitioner” means a person who is duly qualified and registered as a dental practitioner;

“dental technician” means a person who is duly qualified and registered as a dental technician under Part V;

“dentist extender” means a person who is duly registered as a dentist extender and is employed in the public service to perform limited dental service as defined in section 19;

“dentistry” means any professional service performed by a dental practitioner and includes—
(i) the diagnosis or treatment of, and the prescribing, treating or operating for the prevention, alleviation or correction of any disease, pain, deficiency, deformity, defect, lesion, disorder, or abnormal physical condition of the mouth in or from any tooth, jaw or associated structure or tissue or any injury thereto;

(ii) the prescribing or advising the use of any prosthetic denture, bridge, appliance or device for the purposes specified in subparagraph (i), or to replace, improve or supplement any tooth, or to prevent, alleviate, correct or improve any condition of such tooth;

(iii) the taking or giving of advice or assistance, or the provision of facilities for the taking or making of any impression, bite, cast or design preparatory to, or for the purpose of, or with a view to the making, producing, reproducing, constructing, fitting, furnishing, supplying, altering, or repairing of any prosthetic denture, bridge, appliance or device;

(iv) the practice of oral surgery by a medical practitioner licensed under the Medical Practitioners Act;

(v) the operations by bona fide students of dentistry or a dental auxiliary or hygienist in the clinical department or the laboratory of a reputable dental school or college approved by the Council, including operations by a licensed student while engaged in dental extension programmes which have been approved by a school of dentistry and approved by the Council.

“prescribed fee” means the fee prescribed by regulations;

“register” means the appropriate register required to be kept by the Secretary of the Council under section 5 or 15;

“Secretary” means the person for the time being performing the functions of the Secretary of the Council.
PART II

ESTABLISHMENT AND FUNCTION OF DENTAL COUNCIL

3. (1) For the purposes of this Act there is hereby established a Council to be known as the Dental Council of Guyana which shall be a body corporate.

(2) The provisions of the First Schedule shall have effect with respect to the constitution of the Council and otherwise in relation thereto.

4. It shall be the function of the Council—

(a) to undertake responsibility for the registration of dental practitioners, dentist extenders and dental technicians;
(b) to advise the Minister where necessary on matters relating to—

(i) dental services in Guyana and to the performance of those services by dental practitioners, dentist extenders and dental technicians;
(ii) the establishment of a suitable training programme for persons to perform the services of dentist extenders and dental technicians for the maintenance of a good standard for those services.

PART III

DENTAL PRACTITIONERS

5. (1) The Secretary shall keep a register in the form set out in Form I in the Second Schedule to be known as the Dental Register, in which the Secretary shall cause to be entered the name of every person entitled under section 6 to be registered as a dental practitioner, together with the following particulars in relation to each such person—

(a) his full name and residential and business addresses;
(b) the date of the registration;
(c) a description and the date of the qualification in respect of which he is registered.

(2) The register shall at all reasonable times be open to inspection at the office of the Council by any dental practitioner or other person authorised by the Minister.

(3) The Secretary shall make such alterations in the addresses and qualifications of dental practitioners as are necessary, and shall remove from the register the name of a dental practitioner who has been continuously absent from Guyana for a period of three years or more, not on training, secondment or other purposes approved by the Council, is deceased or is no longer qualified to practise dentistry in Guyana:

Provided that subject to the provisions of this Act the Council may at any time restore a dental practitioner’s name on the register upon his again fulfilling the requirements for registration in the opinion of the Council without the payment of any fee.

(4) A registered dental practitioner shall be entitled to demand and recover charges for professional services rendered and cost of medicines or dental appliances supplied by him to his patient.

(5) A person whose name is not entered in the register shall be deemed not to be registered.

6. (1) A person who applies to the Council to be registered as a dental practitioner and who satisfies the Council that he—

(a) is a citizen of Guyana or the spouse of a citizen of Guyana or is resident in Guyana;
(b) can communicate satisfactorily in English;
(c) is of good character;
(d) holds a diploma, degree or certificate obtained by examination after attending a recognised dental school approved by the Council;
(e) is qualified to practice independently in the country where he obtained his diploma, degree or certificate,
shall, upon submission of a sworn declaration in Form 2 in the Second Schedule together with the particulars mentioned in subsection (2), and on payment of the prescribed fee, be entitled, with approval of the Council, to be registered as a dental practitioner and thereupon be issued with a certificate of registration in Form 3 in the Second Schedule.

(2) An applicant for registration shall furnish to the Secretary—

(a) evidence of his qualification;
(b) proof of his identity; and
(c) such further or other information as the Council requires in respect of the matters specified in subsection (1) (a) and (b).

(3) The Council may require any person who applies for registration as a dental practitioner under this Act, and who does not, in accordance with the criteria of the Council whether prescribed or not, fulfill the requirements of subsection 1 (b), (d) or (e) to submit to such examination as the Council thinks necessary.

(4) Notwithstanding anything in subsections (1), (2) and (3), the Council may grant a licence in form 4 in the Second Schedule for a period not exceeding twelve months to any person who satisfies the payment to the Secretary of the prescribed fee, but where the person charges no fee for all dental services rendered under the licence, the Chairman of the Council may waive the prescribed fee.

7. Where a dental practitioner obtains a qualification approved by the Council which is higher than or additional to that in respect of which he is registered, he is entitled, without the payment of any fee, to have that higher or additional qualification entered by the Secretary in the register in substitution for, or in addition to, the qualification in respect of which he is registered.

8. (1) The Secretary shall keep a register in Form 8 in the Second Schedule to be known as the Annual Register of Dental Practitioners, and enter therein the names and other particulars of all dental practitioners entitled to practise dentistry in each year.

Additional qualifications.

Annual registration of dental practitioners.

Form 2.

Form 3.

Form 8.

(2) A dental practitioner who desires to practise as such in Guyana in any year shall in the month of January of that year, cause his name to be registered in the Annual Register of Dental Practitioners and obtain a licence of such registration in Form 9 in the Second Schedule from the Secretary on payment of the prescribed fee.

(3) A person who practises as a dental practitioner without having been registered under this section shall be guilty of an offence punishable on summary conviction by a fine of ten thousand dollars and a further fine of five hundred dollars for each day he so practises.

9. No one shall practise or hold himself out whether directly or by implication, as practising or entitled to practise dentistry, unless he is registered as a dental practitioner under this Act, and anyone contravening this section shall be liable on summary conviction to a fine of seventy thousand dollars, and to imprisonment for eighteen months:

Provided that nothing in this section shall operate to prevent the extraction of teeth by a duly registered dispenser, medex or registered medical practitioner when no registered dental practitioner or dentist extender is available.

PART IV

TEMPORARY REGISTRATION

10. Anything in Part III to the contrary notwithstanding, the Council may grant a licence in Form 4 in the Second Schedule for a period not exceeding twelve months to any person who satisfies the requirements of section 11 on payment to the Secretary of the prescribed fee.

11. Section 10 shall apply to any person who is not eligible for registration as a dental practitioner under the preceding provisions of this Act or by virtue of any other law and who satisfies the Council—
(a) that he is of good character;
(b) that he holds a diploma granted in a country other than Guyana by virtue of which he would be entitled to practise in that country as a dental practitioner without supervision and recognised for the time being by the Council for the purposes of this Act, as furnishing a sufficient guarantee of the possession of the requisite knowledge and skill for the efficient practise of dentistry;

(c) that he is employed, or has been selected for employment in an approved institution such as the National Dental Centre, any public hospital or any government dental clinic.

12. (1) Where on the application of any person registered by virtue of section 9, it is shown to the satisfaction of the Council that such person has, while so registered, practised efficiently as a dental practitioner for a period of not more than twelve months in any approved government institution under the direct or indirect supervision of a person registered as a dental practitioner under this Act, the Council shall direct, that on payment of the prescribed fee, he shall notwithstanding anything in section 6 be registered under section 6 as if he were entitled to be registered as a dental practitioner under that section.

(2) Upon the registration of any person under this section the Secretary shall delete his name from that part of the registrar in which it was entered, pursuant to section 10.

13. If the Council declines to direct the Secretary to register any person who applies to be registered by virtue of any of the provisions of this Part, the applicant may appeal to a Judge of the High Court.

14. (1) The provisions of any law relating to persons registered under Part III, save in so far as they are inconsistent with the provisions of this Part, shall apply to every person registered as a dental practitioner by virtue of the provisions of this Part:
Provided that nothing in this section shall be construed as entitling any person registered by virtue of the provisions of section 10 to demand or recover any personal charge for rendering or giving dental service, aid, advice or attendance, or performing any dental operation, or supplying or prescribing any medicines or dental appliances, otherwise than in the course of his employment in an approved institution or as authorising any such person to practise dentistry otherwise than in the course of such employment.

(2) No person registered by virtue of the provisions of section 10 shall hold office as a member of the Council.

PART V

DENTIST EXTENDERS AND DENTAL TECHNICIANS

15. The Secretary shall keep the following—

(a) a register in the form set out in Form 6 in the Second Schedule to be known as the register of dentist extenders;
(b) a register in the form set out in Form 7 in the Second Schedule to be known as the register of dental technicians.

16. (1) The Secretary shall cause to be entered in the relevant register the name of every person entitled under section 18 to be registered as a dentist extender or dental technician together with the following particulars in respect of each such person—

(a) his full name and address;
(b) the date of his registration;
(c) a description and the date of qualification in respect of which he is registered and the dental services that may be performed by him.

(2) A person registered under this Part as a dentist extender or dental technician may perform dental services in Guyana as a dentist extender or as a dental technician and shall obtain a certificate of registration in Form 3 in the Second Schedule on payment of the prescribed fee.
17. (1) Subsections (2) and (3) of section 5 shall mutatis mutandis apply to and in relation to a register required to be kept by the Secretary under section 15.

(2) A person whose name is not entered in a register kept by the Secretary under this Part shall be deemed not to be registered, for the purposes of this Part.

18. (1) A person who, after the commencement of this Act, applies to the Council to be registered as a dentist extender or dental technician and who satisfies the Council that he is—

(a) a citizen of Guyana or spouse of a citizen of Guyana or a resident in Guyana qualified to be so registered;
(b) able to communicate satisfactorily in English;
(c) a fit and proper person to perform the services of a dentist extender or dental technician,

is entitled upon compliance with the requirements of this Part and on payment of the prescribed fee to be registered as such under this Part.

(2) For the purposes of subsection (1), a person is qualified to be registered as a dentist extender or dental technician who has completed a course of training approved by the Council and has passed the approved examination.

19. A dentist extender may, in addition to such dental services, as may be prescribed, perform on a child who has not attained eighteen years the following services provided such treatment is undertaken in health establishments operated by the government and under the supervision of a registered government dental practitioner—

(a) extraction of teeth, including preparation and after care;
(b) administration of local anaesthetic;
(c) fillings not involving exposure of dental pulp and preparation for such fillings;
(d) scaling, cleaning and polishing teeth;
(e) topical application of anticariogenic agents to teeth;
(f) exposure and processing of dental X-ray films;
(g) teaching and giving advice on oral hygiene and mouth care.

20. (1) A dental technician may be permitted to fabricate dental appliances, that is to say, dentures, bridges, obturators and orthodontic appliances.

(2) Nothing in subsection (1) shall be construed as permitting a dental technician to perform any work to be done in the mouth of any person.

PART VI

MISCELLANEOUS

21. A person registered as a dental practitioner, dentist extender or dental technician under this Act—

(a) shall, by virtue of being so registered, be entitled to take and use the title dentist, dental surgeon or dental practitioner, dentist extender or dental technician respectively;
(b) shall not take or use, affix to or use in connection with his premises, any title or description reasonably calculated to suggest that he possesses any professional status or qualification other than a professional status or qualification which he in fact possesses and which is indicated by particulars entered in the register in respect of him.

22. (1) The Secretary shall cause to be published in the Gazette—

(a) in the month of February in each year alphabetical lists of persons who are registered as dental practitioners, dentist extenders and dental technicians as required by sections 5 and 15:
(b) the name of any person who registers his name as a dental practitioner, dentist extender or dental technician after the 31st January in any year, as soon as practicable after any such registration.
(2) A copy of the *Gazette* containing the list referred to in paragraph (a) of subsection (1) or the name of any person published pursuant to paragraph (b) of that subsection is *prima facie* evidence in any court of the registration and qualifications of any person mentioned in the list of that person, and such list is *prima facie* evidence that any person whose name does not appear therein is not registered.

23. (1) Any person who is—

(a) convicted of an indictable offence in Guyana;  
(b) convicted of an indictable offence outside Guyana which is also an indictable offence in Guyana;  
(c) alleged to be guilty of professional misconduct,

is subject to disciplinary proceedings.

(2) Where it shall appear, or be represented, to the Council that a dental practitioner, dentist extender or dental technician may be guilty of professional misconduct or malpractice the Council shall afford him a reasonable opportunity of answering the complaint.

(3) If, in any proceedings under subsection (1), the Council is satisfied that a person who is registered under this Act has been convicted of an offence under paragraph (a) or (b) or that he is guilty of professional misconduct, it may—

(a) censure him;  
(b) suspend his registration for any period not exceeding one year; or  
(c) direct that this name be removed from the register.

24. If, in the opinion of the Council, it is against the public interest or not in the interest of the health of a patient that a person who is registered under this Act continues to practise dentistry or perform dental services, as the case may be, pending the determination of disciplinary proceedings, the Council may suspend the registration of that person.
25. (1) The Council may, at any time, direct the Secretary to restore to the register the name of any person that has been removed therefrom under section 23(3).

(2) Where the name of a person is removed from the register the Council may in writing require that person to return to the Secretary of the Council his certificate of registration, and that person shall comply with the requirement.

(3) The Council shall as soon as practicable after suspending the registration of a dental practitioner, dentist extender or dental technician under section 23 or 24, or under subsection (1) after the restoration of the name of any person to a register, cause notice thereof to be published in the Gazette.

26. (1) A dental practitioner, dentist extender or dental technician, whose name has been removed from the register may at any time after the expiration of one year after the date of such removal apply to the Council for the restoration of his name to the register.

(2) Where the Council is satisfied that an applicant under subsection (1) has established sufficient grounds to support his application, it may direct the Secretary of the Council to restore his name to the register as a dental practitioner, dentist extender or dental technician.

27. Where the Council—

(a) refuses to approve the registration of a person under this Act as a dental practitioner, dentist extender or dental technician; or

(b) suspends the registration or directs the removal of the name of any such person from the register,

the Secretary shall, within seven days after the date of such refusal, suspension or direction, give written notice thereof to the person affected.
28. (1) Subject to subsection (4) any person who is aggrieved by the refusal of the Council to register him under this Act, except Part IV, or by its decision to censure him or suspend his registration or cause his name to be removed from the register may within three months after the receipt by him of any such notice, appeal to a Judge in Chambers.

(2) The Council may, pending an appeal under subsection (1) of any person aggrieved by its decision to suspend his registration or cause his name to be removed from the register, on the application of that person suspend the operation of any such decision until the determination of the appeal.

(3) The Judge may–

(a) on hearing an appeal against refusal of registration, dismiss the appeal, or allow the appeal and direct the Council to cause the registration to be effected;
(b) on hearing an appeal, other than an appeal against refusal of registration–

(i) dismiss the appeal and confirm the decision of the Council;
(ii) allow the appeal and set aside the decision of the Council;
(iii) allow the appeal and direct that the disciplinary proceedings in respect of which the decision of the Council is made be reconducted by the Council; or
(iv) set aside the penalty imposed by the Council and impose in substitution therefor such other penalty under section 23(3) as he thinks fit.

(4) Notwithstanding subsection (1), no appeal shall be made under this section against the refusal of an application for registration where the registration is conditional upon the applicant satisfying the Council that he is qualified to be registered under this Act.

29. (1) The Minister may make regulations generally for carrying out the provisions of this Act.
(2) Without prejudice to the generality of subsection (1) the Council may, with the approval of the Minister, make regulations for—

(a) the determination of professional conduct and general fitness to practice dentistry or to perform dental services;

(b) the institution of disciplinary proceedings in relation to any charge under section 23 and the manner in which those proceedings are to be conducted.

30. The Council may, with the approval of the Minister, recognise any place, institution or school as a place of training or affiliated place of training for dentist extenders or dental technicians.

31. (1) A person who, for the purpose of procuring or attempting to procure the registration under this Act of himself or of any other person as a dental practitioner makes or causes to be made or produced any fraudulent representation or declaration either verbally, in writing or otherwise, is liable on summary conviction to a fine of seventy-five thousand dollars and to imprisonment for two years.

(2) A person, not being a dental practitioner who holds himself out, assumes or uses any name title or description implying that he is entitled to be recognised as a person authorised or qualified to practise dentistry or practices dentistry, is liable on summary conviction to a fine of seventy-five thousand dollars and to imprisonment for twelve months.

(3) A dentist extender or dental technician who performs dental services, other than those specified by this Act is liable on summary conviction to a fine of twenty-five thousand dollars and to imprisonment for six months.

(4) A person who, for the purposes of procuring or attempting to procure the registration under this Act of himself or of any other person as a dentist extender or dental technician, makes or produces or causes to be made or produced any fraudulent representation or declaration
either verbally, in writing or otherwise is guilty of an offence and liable on summary conviction to a fine of twenty-five thousand dollars and to imprisonment for six months.

32. (1) Subject to subsection (3), a person who, for the purposes of practising dentistry or performing dental services, has in his possession or control dental appliances or supplies is guilty of an offence and liable on summary conviction to a fine of one hundred thousand dollars and to imprisonment for up to five years.

(2) For the purposes of subsection (1), possession or control of dental appliances or supplies by a person is prima facie evidence that the possession or control is for the purpose of practising dentistry or performing dental services by that person in contravention of this section.

(3) Subsection (1) does not apply to the possession or control of dental appliances or supplies by—

(a) a person registered under this Act;
(b) a person dealing in dental appliances or supplies; or
(c) a person permitted by the Council to have such possession or control.

33. All fees collected by the Secretary of the Council under this Act shall be retained by the Council.

FIRST SCHEDULE

1. (1) The Dental Council shall consist of—

(a) the Principal Dental Officer and one other Government dental practitioner appointed by the Minister who shall be ex officio members of the Council:
(b) three dental practitioners duly registered for at least five years in Guyana of whom not less than two shall be in private practice appointed by the Minister after consultation with the...
Guyana Dental Association.

(2) The Council shall elect a Chairman from among the members of the Council and the Chairman shall have an original and casting vote.

2. (1) Two members, other than the \textit{ex officio} members of the first Council, constituted after the commencement of this Act shall be appointed for a term of one year, the other member being appointed for two years.

(2) Thereafter, members of the Council shall hold office for a term of two years, but are eligible for re-appointment.

(3) Notwithstanding subparagraph (2), no member of the Council, other than an \textit{ex officio} member, shall hold office for more than two consecutive terms, but such member is eligible for re-appointment after the expiration of one year thereafter.

3. (1) The Council shall meet at such time as may be necessary or expedient for the transaction of business and such meetings shall be held at such place and time and on such days as the Council may determine.

(2) The Council may delegate any of its functions to the Chairman.

(3) Three members of the Council shall form a quorum.

(4) Minutes in proper form of every meeting of the Council shall be kept by the Secretary and shall be confirmed at a subsequent meeting by the Chairman or other member duly presiding over the meeting as the case may be.

(5) Subject to this Act, the Council may regulate its own procedure.

(6) Any member of the Council who does not attend three consecutive meetings without adequate explanation shall cease to be a member of the Council.
4. The Council may—

   (a) appoint committees comprising—

      (i) members of the Council;

      (ii) dental practitioners, not being members of the Council;

      (iii) other persons registered under this Act,

   to assist in carrying out its functions;

   (b) delegate to a committee such of its functions as it considers necessary.

5. The Council may employ a Secretary and such other officers and employees for carrying out its functions, and with the approval of the Minister set their remuneration and such other terms and conditions of employment as it thinks fit (including the payment of pensions, gratuities and other like benefits by reference to the service of its officers and other employees).

6. (1) Where the interest of a member of the Council is likely to be directly or indirectly affected by a decision of the Council the member shall disclose the nature of the interest at the first meeting of the Council at which he is present after the relevant facts have come to his knowledge.

   (2) Where there is a disclosure under subparagraph (1), the Secretary shall record in the minutes of the Council a full account of the disclosure, and the member of the Council making the disclosure shall unless the Council otherwise directs, not be present or take part in the deliberations or vote at any meeting during the time when the Council is deciding the matter in which the member has disclosed an interest.

7. The Council shall as soon as practicable after the beginning of each year, submit to the Minister a report of its activities during the preceding year.
SECOND SCHEDULE

FORMS

FORM 1

REGISTER OF DENTAL PRACTITIONERS

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<th>Name</th>
<th>Business and Residential Address</th>
<th>Date of Registration</th>
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FORM 2

SWORN DECLARATION TO ACCOMPANY APPLICATION FOR REGISTRATION AS DENTAL PRACTITIONER

I, A. B., residing at .................................................................
do hereby declare that I am a graduate of .................................
(here state college, faculty, Council or Society) and was duly authorised
by that (college, faculty, Council or Society) on the day of to
practise dentistry.

(Signature)
A.B.

Sworn before me this day of , 19

(Signature)
C.D.
Commissioner of Oaths

to Affidavits

FORM 3

CERTIFICATE OF REGISTRATION OF DENTAL PRACTITIONER/DENTIST EXTENDER/DENTAL TECHNICIAN

It is hereby certified that .................................
residing at ................................................................. has been
duly registered as and entitled to practise dentistry/perform dental
services as a dentist extender or dental technician* in Guyana under the
provisions of the Dental Registration Act.

*Delete where inapplicable.

Dated this day of, 19.

Secretary
Dental Council of Guyana.

FORM 4

SHORT TERM LICENCE

Registration No. Dental Council of Guyana

Name and address:

Qualification:

It is hereby certified that the above-named person has been duly registered as entitled to practise dentistry in Guyana on a short term basis under the provisions of the Dental Registration Act for a period of 12 months from to

.................................
Secretary
Dental Council of Guyana

.................................
Chairman
Dental Council of Guyana.
FORM 6

REGISTER OF DENTIST EXTENDERS

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<th>Name</th>
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## FORM 7

**REGISTER OF DENTAL TECHNICIANS**

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FORM 8

ANNUAL REGISTER OF DENTAL PRACTITIONERS

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<th>Registration No.</th>
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*L.R.O. 3/1998*
FORM 9

LICENSE OF ANNUAL REGISTRATION
AS A DENTAL PRACTITIONER

Registration No.                                           Dental Council Guyana

(Stamp)

It is hereby certified that .................................................................
residing at ................................................................. has been
duly registered as a Dental Practitioner and is entitled to practise
dentistry in Guyana during the year ................ under the provisions of
the Dental Registration Act.

Dated this ...................... day of ......................, 19........

....................................
Secretary,
Dental Council of Guyana

..................................
Chairman
Dental Council of Guyana

s. 8(2)