

Chairman's Report

The *Dental Practitioners Registration Act 2001* commenced on 1 January 2002. This Bulletin contains some important information about the obligations of dentists and dental specialists, plus other changes arising out of the new legislation.

Because of the workload that will be generated by the new process of renewal, the Board has decided to change the registration period from the calendar year to the financial year 1 July to 30 June. Most dentists will have a Certificate of Registration valid until 31 December 2002. In October this year they can expect to be sent a renewal notice for 6 months registration. Any practitioner who has registered or restored their registration since 1 January 2002 will be required to renew their registration before 30 June 2002 for the 2002-03 year.

Any dentist who practices under a business or a company name may be obliged to give the Board notice of that name and other information. This will require many dentists to notify the Board by 30 June 2002. The relevant parts of the *Dental Practitioners Registration Act 2001* are included in this Bulletin to assist registrants in relation to this matter.

With changes in legislation the Board has reviewed its policies. Most only required minor editorial changes while three that were specific to the *Dental Act 1971* have been withdrawn.

Policy #8 on Anaesthesia and Conscious Sedation in Dentistry has been reviewed by a working party. The two years allowed for accreditation of practices historically providing intravenous sedation has been extended by a further year.

The revamped policies are all available on the Board's website (www.dentalboard.qld.gov.au).

Rick Olive
Chairman

Inside this Issue

Chairman's Report

Business Name Requirements/ Changes in the New Act

Advertising

Policies #14 & #15

Australian Dental Council Information Booklet, March 2001

International Qualifying Examination for Dentists registering with the General Dental Council

Board Policies

Business Name Requirements / Changes in the New Act.

The new *Dental Practitioners Registration Act 2001* will affect the use of business names by Dentists and Dental Specialists. The provisions about business names in the new Act are as follows:

148. Notification of business names etc.

(1) *A registrant must, before carrying on a business providing professional services under a business name other than the registrant's own name, give the Board notice of the business name. Maximum penalty - 10 penalty units.*

(2) *Subsection (1) applies whether or not the business name is registered under the Business Names Act 1962.*

(3) *An individual who is not a registrant must, before carrying on a business providing professional services, give the board notice of -*

- (a) *the business name of the business (whether or not the name is registered under the Business Names Act 1962); and*
- (b) *the name and address of the individual.*

Maximum penalty - 10 penalty units.

(4) *A corporation must, before carrying on a business providing professional services, give the board notice of -*

- (a) *the business name of the business (whether or not the name is registered under the Business Names Act 1962); and*
- (b) *the name and principal address of the corporation; and*
- (c) *the names and addresses of-*
 - (i.) *if the corporation is a corporation under the Corporations Act-the directors of the corporation; or*
 - (ii.) *if the corporation is not a corporation under the Corporations Act - the members of the governing body of the corporation.*

Maximum penalty for subsection (4) - 50 penalty units.

149. Notification of change in business names etc.

(1) *This section applies if -*

- (a) *a person has given the board a notice under section 148; and*
- (b) *there is a change in the information contained in the notice.*

(2) *The person must, within 14 days after the happening of the change, give the board notice of the change.*

Maximum penalty - 10 penalty units.

(3) *The person does not commit an offence against section 148 during the period of 14 days after the happening of the change if the person complies with subsection (2).*

259. Sections 148 and 151 ineffective for 6 months

(1) *Sections 148 and 151 have no effect for 6 months after they commence.*

(2) *However, a person may give the board a notice mentioned in section 148 within the 6 month period.*

Advertising

The new *Dental Practitioners Registration Act 2001* will affect advertising by Dentists and Dental Specialists. The provisions about advertising in the new Act are as follows:

150. Obligations of advertisers

- (1) *A person must not advertise a professional service, or a business providing professional services, in a way that -*
- (a) *is false, misleading or deceptive or is likely to be misleading or deceptive; or*
Example for paragraph (a) -An advertisement that contains a false claim about the beneficial outcome of a professional service
 - (b) *offers a discount, gift or other inducement to attract a person to use the service or the business, unless the advertisement also states the terms of the offer; or*
 - (c) *refers to, uses or cites actual or purported endorsements or testimonials about the service or business, or a registrant; or*

- (d) is disparaging of -
(i) a professional service provided by another person; or
(ii) a business providing professional services;
or
(iii) a registrant.

Maximum penalty - 200 penalty units.

- (2) A person must not advertise a professional service that the person knows or ought reasonably to know will, or is likely to, harm a person to whom it is provided

Maximum penalty - 200 penalty units

- (3) A person must not advertise a registrant's expertise in a field of practice of the profession unless the registrant has the skills, knowledge, training or qualifications necessary to practise in the field.

Maximum penalty - 200 penalty units

- (4) A printer or publisher does not commit an offence against subsection (1), (2) or (3) merely by, as part of his or her business, printing or publishing an advertisement for another person.

151. Information to appear in advertisements

- (1) A person must not advertise a professional service, or a business providing professional services, unless -

- (a) if a registrant provides the service, or carries on the business, under a business name that is the registrant's own name - the registrant's name is stated in the advertisement; or

- (b) otherwise - the business name notified to the board under section 151(1), (3) or (4) is stated in the advertisement.

Maximum penalty - 50 penalty units

- (2) A printer or publisher does not commit an offence against subsection (1) merely by, as part of his or her business, printing or publishing an advertisement for another person.

One Penalty unit is equivalent to \$75, so the maximum penalty a court may impose for an advertising breach is \$15,000.

Dentists and Dental Specialists intending to advertise are advised to ensure that they comply with all sections of the *Dental Practitioners Registration Act 2001*. Further information can be obtained by contacting the Office of the Board on telephone 3225 2508.

Policies #14 and #15

The Board has adopted these new policies since Bulletin #8 and these are included for registrants' information. All Board policies are available at the Board's website (www.dentalboard.qld.gov.au).

Policy #14, Qualifications for General Registration under Sections 44(1)(b) and (c) of the *Dental Practitioners Registration Act 2001*

Background:

The Dental Board of Queensland ("the Board") is responsible under the *Dental Practitioners Registration Act 2001* ("the Act") to ensure that only safe and competent dental practitioners are registered to provide dental services.

References:

Dental Practitioners Registration Act 2001

Section 44 (1) prescribes that "An applicant for general registration is qualified for general registration if...

- (b) the applicant has a qualification that is substantially equivalent to, or based on similar competencies to that required for, a current Australian or New Zealand qualification; or
- (c) the applicant has passed a qualifying examination in the profession set by or for or recognised by, the Board.

Section 44 (2) prescribes that “*In deciding whether subsection (1)(b) is satisfied, the Board may have regard to the following:*

(a) *the advice and recommendation of:*

(i) *an entity recognised by the Board as competent to assess qualifications in the profession; or*

(ii) *an entity responsible for accrediting courses, or accrediting institutions to educate persons for the profession;*

(b) *the attributes of the course leading to the applicant’s qualification”.....*

Policy:

These sections of the Act and policy are applicable to persons applying for general registration as dentists when those persons have qualifications other than Australian and New Zealand qualifications.

The Act requires that such persons seeking registration must have qualifications substantially equivalent to current Australian and New Zealand qualifications. The Board recognises the Australian Dental Council (“ADC”) as the authority that assesses the standards of, and accredits Australian dental qualifications and the Dental Council of New Zealand (“DCNZ”) as the authority that assesses the standards of, and accredits New Zealand dental qualifications.

1. Consequently, the Board will only accept qualifications under section 44(1)(b) if the ADC or the DCNZ has advised that to its knowledge the applicant’s qualification is substantially equivalent to current Australian or New Zealand qualifications.

2. As a transitional arrangement, the Board will, until 31 December 2004, continue to recognise for the purposes of section 44(1)(b) those qualifications that were prescribed in Schedule 1 below to the *Dental By-law 1988* as at 31 December 2001.

3. For dentists who are applying for registration under section 44(1)(c), the qualifying examination

recognised by the Board is the Australian Dental Council examination.

The *Dental Practitioners Registration Act 2001* and the *Dental Practitioners Registration Regulation 2001* provide that the holders of the following are qualified for general registration in Queensland:

- Bachelor of Dental Science (University of Queensland);
- Bachelor of Dental Surgery (University of Sydney);
- Bachelor of Dental Science (University of Melbourne);
- Bachelor of Dental Surgery (Adelaide University);
- Bachelor of Dental Science (University of Western Australia);
- Bachelor of Dental Surgery (University of Otago);

a qualification that is substantially equivalent to, or based on similar competencies to that required for, a current Australian or New Zealand qualification;

a pass in a qualifying examination in the profession set by or for, or recognised, the Board. The body recognised by the Board is the Australian Dental Council (previously the Australian Dental Examining Council).

With the commencement of the *Dental Practitioners Registration Act 2001* on 1 January 2002, the Board has approved a Policy #14 whereby as a transitional arrangement, the Board will, until 31 December 2004, continue to recognise for the purposes of section 44(1)(b) of the Act, the following qualifications that were prescribed in Schedule 1 to the *Dental By-law 1988* as at 31 December 2001:

- B.D.S. (University of New Zealand);
- B.D.S. (University of Belfast);
- B.D.S. (University of Birmingham);
- B.D.S. (University of Bristol);
- B.D.S. (University of Dundee);
- B.D.S. (University of Durham);
- B.D.S. (University of Edinburgh);
- B.D.S. (University of Glasgow);
- B.D.S. (National University of Ireland);
- B.D.S. (University of Liverpool);
- B.D.S. (University of London);

B.D.S. (University of Manchester);
B.D.S. (University of Newcastle upon Tyne);
B.D.S. (University of St. Andrews);
B.D.S. (University of Sheffield);
B.D.S. (University of Wales);
B. Dent.Sc. (University of Dublin);
B.Ch.D. (University of Leeds).

courses, or accrediting institutions to educate persons for the specialty;

(b) the attributes of the course leading to the applicant's qualification".....

Policy:

These sections of the Act and policy are applicable to persons applying for specialist registration when those persons have qualifications other than Australian and New Zealand qualifications.

The Act requires that such persons seeking registration must have qualifications substantially equivalent to current Australian and New Zealand qualifications. The Board recognises the Australian Dental Council ("ADC") as the authority that assesses the standards of, and accredits Australian dental qualifications and the Dental Council of New Zealand ("DCNZ") as the authority that assesses the standards of, and accredits New Zealand dental qualifications.

1. Consequently, the Board will only accept qualifications under section 102(1)(b) if the ADC or the DCNZ has advised that to its knowledge the applicant's qualification is substantially equivalent to current Australian or New Zealand qualifications.

2. As a transitional arrangement, the Board will, until 31 December 2004, continue to recognise for the purposes of section 102(1)(b) those qualifications that were prescribed in Schedule 2 below to the *Dental By-law 1988* as at 31 December 2001.

3. For dentists who are applying for registration as dental specialists under section 102(1)(c), there is not a qualifying examination recognised by the Board at present (See Note 1).

Note 1: It is anticipated that in the future such examinations will be conducted by the Australian Dental Council.

Policy #15, Qualifications for Specialist Registration under Sections 102(1)(b) and (c) of the Dental Practitioners Registration Act 2001.

Background:

The Dental Board of Queensland ("the Board") is responsible under the *Dental Practitioners Registration Act 2001* ("the Act") to ensure that only safe and competent dental practitioners are registered to provide dental services.

References:

Dental Practitioners Registration Act 2001

Section 102 (1) prescribes that "*An applicant for specialist registration in a specialty is qualified for specialist registration in the specialty if-...*

- (b) the applicant has a qualification in the specialty that is substantially equivalent to, or based on similar competencies to that required for, a current Australian or New Zealand qualification; or*
- (c) the applicant has passed a qualifying examination in the specialty set by or for or recognised by, the Board.*

Section 102 (2) prescribes that "*In deciding whether subsection (1)(b) is satisfied, the Board may have regard to the following-...*

- (a) the advice and recommendation of:*
 - (i) an entity recognised by the Board as competent to assess qualifications in the specialty; or*
 - (ii) an entity responsible for accrediting*

SCHEDULE 2

QUALIFICATIONS FOR REGISTRATION AS A DENTAL SPECIALIST

Section 15(2)

Each qualification set out below is to be obtained by course-work extending not less than 2 years of full-time study or an equivalent period of part-time study.

Satisfactory documentary evidence of compliance with this condition is required to be produced at the time of application for registration as a dental specialist.

1. Qualifications awarded by universities in Australia—

M.D.S. or M.D.Sc. (by course-work) from—

- (a) University of Adelaide;
- (b) University of Melbourne;
- (c) University of Queensland;
- (d) University of Sydney;
- (e) University of Western Australia.

2. Qualifications awarded by the Royal Australian College of Dental Surgeons—

- (a) FRACDSDOS.—FRACDSOMS.;
- (b) FRACDS D. Pros.—FRACDSPROS;
- (c) FRACDS D. Endo.—FRACDSENDO.

3. Qualifications awarded by the Royal College of Surgeons of England, Edinburgh, Glasgow or Ireland—

(a) F.D.S.R.C.S. (England, Edinburgh, Ireland) together with a certificate of accreditation in—

- (i) oral surgery and oral medicine;
 - (ii) orthodontics;
 - (iii) restorative dentistry;
- awarded by the Royal College of Surgeons;

(b) F.D.S.R.C.P.S. (Glasgow) together with a certification of accreditation in—

- (i) oral surgery and oral medicine;
- (ii) orthodontics;
- (iii) restorative dentistry;

awarded by the Royal College of Physicians and Surgeons;

(c) Dip. Orth. R.C.S. (England) together with a certificate of accreditation in orthodontics awarded by the Royal College of Surgeons.

4. Qualifications awarded by the University of Witwatersrand, Johannesburg—

- (a) M. Dent. (Orthodontics);
- (b) M. Dent. (Prosthodontics);
- (c) M. Dent. (Maxillofacial and Oral Surgery);
- (d) M. Dent. (Periodontics and Oral Medicine);
- (e) M. Dent. (Oral Pathology);
- (f) Dip. Ortho.;
- (g) Dip. Pros.;
- (h) Dip. MFOS;
- (i) Dip. POM;
- (j) Dip. Oral Path.

5. Qualifications awarded by the University of London—

M.Sc. (in children's dentistry, conservative dentistry, prosthetic dentistry, orthodontics, periodontology, oral pathology, or dental public health) involving or followed by at least 2 years continuous full-time specialist training at registrar or equivalent level.

6. Qualifications awarded by the University of Otago, Dunedin—

M.D.S. (1976 and subsequent years).

7. Degrees, diplomas or certificates awarded by institutions accredited by the Council on Dental Education of the American Dental Association to conduct an advanced level programme for the preparation of dental specialists involving at least 2 years full-time training or an equal amount of training on a part-time basis.

Australian Dental Council

As requested by the Australian Dental Council, the Board encloses the ADC Information Booklet, March 2001 and a covering letter to registrants.

International Qualifying Examination for Dentists Registering with the General Dental Council

On 1 January 2001 new regulations for the Council's statutory examination, which is known as the International Qualifying Examination ("IQE"), came into force.

The following information has been obtained from the GDC's webpage (www.gdc-uk.org)

Significant features of the IQE regulations

Those dentists who are neither nationals of European Economic Area ("EEA") States nor entitled to be treated no less favourably than EEA nationals, will be required to produce an original certificate showing a minimum score of 7.0 in each individual section of the academic International English Language Testing System (IELTS) before they can enter for the IQE. This certificate will be valid for three years. Details about IELTS may be obtained from the British Council (IELTS Enquiries), Bridgewater House, 58 Whitworth Street, Manchester, M1 6BB, UK. Telephone: 0161 957 7755; E-mail: general.enquiries@britishcouncil.org

IQE - Further information and applications

Dentists who wish to take the IQE should obtain an information pack from the Council's Education Directorate, General Dental Council, 37 Wimpole Street, London W1G 8DQ, UK or E-mail: examinations@gdc-uk.org The pack contains an application form and full details concerning the supporting documents which should be submitted together with the application form.

Board Policies

Accessible via the Board's website www.dentalboard.qld.gov.au are the following Board policies:

- Policy No. 1 *Prescribed Particulars Registered under Mutual Recognition*
- Policy No. 4 *Infection Control Guidelines*
- Policy No. 5 *Policy on Complaint about dental registrants*
- Policy No. 6 *Dentists Request to Employ more than one Dental Hygienist*
- Policy No. 7 *Registration Following Removal From the Registers For Non-Payment of Annual Licence Fee*
- Policy No. 7A *Registration of Overseas Trained Dentists Holding the ADC Certificate*
- Policy No. 8 *General Anaesthesia and Conscious Sedation in Dentistry*
- Policy No. 9 *Dentists infected with Blood Bore Viruses*
- Policy No. 11 *Dentists Entering Supervised Practice*
- Policy No. 14 *Qualifications for General Registration*
- Policy No. 15 *Qualifications for Specialist Registration*

Contacts

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