

Queensland



DENTAL TECHNICIANS AND DENTAL PROSTHETISTS ACT 1991

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(includes amendments up to Act No. 5 of 2001)**

This is the reprint current on the repeal day

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Information about this reprint

This Act is reprinted as at 1 May 2002. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

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DENTAL TECHNICIANS AND DENTAL PROSTHETISTS ACT 1991

[as amended by all amendments that commenced on or before 1 May 2002]

An Act to provide for the establishment of the Dental Technicians and Dental Prosthetists Board, the keeping of registers of dental technicians and dental prosthetists and the regulation of dental technical work and dental prosthetic services and for related purposes

PART 1—PRELIMINARY

Short title

1. This Act may be cited as the *Dental Technicians and Dental Prosthetists Act 1991*.

Administration of Act

5. Subject to the Minister, the Board administers this Act.

PART 2—THE BOARD

Board established

6.(1) There is established a board called Dental Technicians and Dental Prosthetists Board of Queensland.

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(2) The Board—

- (a) is a body corporate with perpetual succession; and
- (b) has a common seal; and
- (c) may sue and be sued in its corporate name; and
- (d) may acquire, hold, alienate and otherwise deal with real and personal property or any interest in real or personal property; and
- (e) has all the other powers of a natural person.

(3) All courts and persons acting judicially are to take judicial notice of the Board's common seal affixed to a document, and until the contrary is proved, are to presume that it was duly fixed.

Membership

7.(1) The Board consists of the following 9 members—

- (a) a person registered as a dental technician;
- (b) a person registered as a dental prosthetist;
- (c) 2 persons registered as dental technicians, nominated by the Minister from names submitted by 1 or more associations accepted by the Minister as representative of dental technicians;
- (d) a person registered as a dental prosthetist, nominated by the Minister from names submitted by 1 or more associations accepted by the Minister as representative of dental prosthetists;
- (e) a dentist, nominated by the Minister from names submitted by an association accepted by the Minister as representative of dentists;
- (f) a dentist who is an officer or employee of the department;
- (g) a barrister-at-law or solicitor of the Supreme Court;
- (h) a person who is not registered, or entitled to be registered, under this or any other Act as authorised to provide a health service to the community, nominated by the Minister as representing the public interest.

(2) The members of the Board are to be appointed by the Governor in

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Council, by gazette notice.

(3) The submission of names of persons under subsection (1)(c), (d) or (e) is to be made within the time and in the manner determined by the Minister.

(4) If an association mentioned in subsection (1)(c), (d) or (e) fails to make a submission within the time and in the manner determined by the Minister, the Governor in Council may appoint as a member any person who is otherwise qualified to be nominated under the subsection.

(5) For the purpose of the constitution of the Board first constituted after the passing of this Act, the reference in subsections (1)(b) and (d) to persons registered as dental prosthetists is to be read as a reference to persons who—

- (a) at the passing of this Act, are members of an association that, in the Minister's opinion, is representative of dental prosthetists; and
- (b) in the opinion of the Minister, are persons likely to be able to satisfy the requirements of the Board in respect of the qualifications for registration of persons under this Act as dental prosthetists.

(6) A vacancy occurs in the office of a member of the Board first constituted appointed under subsection (5) if the member does not, within 6 months following the commencing day, become registered as a dental prosthetist under section 25.

(7) A member of the Board first constituted after the passing of this Act—

- (a) is not to be present during the consideration by the Board; and
- (b) is not to take part in any decision of the Board;

in respect of that member's application to be registered.

Chairperson and deputy chairperson

8.(1) In every appointment of the whole number of members of the Board, the Governor in Council is to appoint members to be respectively the chairperson and the deputy chairperson of the Board.

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(2) When a vacancy occurs in the office of chairperson or deputy chairperson, the Governor in Council may, by gazette notice, appoint another member of the Board to the vacant office.

(3) The deputy chairperson is entitled to act in the place of the chairperson whenever the chairperson is temporarily unable to perform the duties of office, and, while so acting, has the powers and authorities and may perform the duties of the chairperson.

Resignation from executive offices

9. A member of the Board who holds appointment as chairperson or deputy chairperson may resign the appointment in writing signed by the member and given to the Minister.

Tenure of office

10.(1) An appointment as a member of the Board—

- (a) commences on the date specified in the gazette notice or, if no date is specified, on the date of publication of the notice; and
- (b) is for a term of 3 years or such shorter period as is specified in the notice.

(2) A member of the Board may be reappointed as a member if the member has not become ineligible for appointment.

Casual vacancy

11.(1) The office of a member of the Board becomes vacant if the member—

- (a) dies; or
- (b) ceases to be qualified as a member; or
- (c) becomes bankrupt or compounds with creditors, or otherwise takes advantage of the laws in force relating to bankruptcy; or
- (d) resigns from office in writing signed by the member and given to the Minister; or

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- (e) is convicted of an indictable offence (whether in Queensland or elsewhere); or
- (f) is removed from office by the Governor in Council under section 12.

(2) Resignation from office takes effect on the day on which the instrument of resignation is received by the Minister or on the day specified in the instrument for its operation, whichever is later.

(3) If a vacancy occurs in the office of a member of the Board, the Governor in Council may, under section 7, appoint a qualified person to that office for the balance of the predecessor's term of appointment and, that person, if otherwise qualified, is eligible for reappointment.

Removal from office

12.(1) The Governor in Council may, by gazette notice, remove from office a member of the Board if—

- (a) because of mental or physical incapacity, the member is unable to perform the duties of office; or
- (b) the member is guilty of misconduct; or
- (c) the member is absent, without prior leave granted by the Board, from 3 consecutive meetings of the Board of which due notice has been given to the member; or
- (d) the member fails, without reasonable excuse, to comply with section 17.

(2) For the purpose of subsection (1)(c), attendance of a member at the time and place appointed for an ordinary meeting of the Board is taken to constitute presence at a meeting even though, because of the lack of a quorum, the meeting does not take place, and the names of all members who so attend are to be entered in the minute book.

Meetings

13.(1) The Board is to meet as often as is necessary for the efficient conduct of its business.

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(2) Meetings are to be held—

- (a) when convened by the chairperson by written notice to the other members of the Board; or
- (b) when directed by the Minister by written notice to the members of the Board;

at a time and place specified in the notice, or to which the meeting is adjourned.

(3) If a majority of members of the Board requests the chairperson in writing to convene a meeting, the chairperson is to convene a meeting in accordance with the request.

(4) The Board is to cause minutes to be kept of proceedings at each of its meetings and to be presented to the next meeting of the Board for adoption.

(5) The Board may invite any person to attend a meeting with a view to informing or advising the Board on any matter before the Board.

(6) A proceeding or decision of the Board is not invalid merely because—

- (a) a member was not entitled to take part in the proceeding or decision; or
- (b) there is a defect in the appointment of a member.

Presiding member

14.(1) The chairperson or, in that member's absence, the deputy chairperson is to preside at meetings of the Board.

(2) If both the chairperson and the deputy chairperson are absent from a meeting, the member of the Board elected by the members present at the meeting is to preside.

(3) A member elected to preside at a meeting has the powers of the chairperson.

Quorum

15.(1) Business is not to be conducted at a meeting of the Board unless a

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quorum is present.

- (2) A quorum at any meeting of the Board is 5 members.

Voting

16.(1) A question before a meeting of the Board is to be decided by majority vote of the members present and voting.

(2) If a member present at a meeting and entitled to vote abstains from voting, the member is taken to have voted for the negative.

(3) The member presiding at a meeting has a deliberative vote and, if there is an equality of votes, a casting vote.

Disclosure of interest

17.(1) A member of the Board who has a direct or indirect pecuniary interest in a matter being considered, or about to be considered, by the Board must, as soon as possible after the relevant facts come to the member's knowledge, disclose the nature of the interest to a meeting of the Board.

(2) The disclosure is to be recorded in the minutes of the meeting, and, unless the Board otherwise determines, the member concerned—

- (a) is not to be present during the consideration by the Board of the matter in question; and
- (b) is not to take part in any decision of the Board in respect of the matter.

(3) A member of the Board who makes a disclosure—

- (a) is not to be present during any deliberation by the Board as to whether to make a determination under subsection (2) in respect of the member; and
- (b) is not to take part in the making by the Board of such a determination.

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Entitlements of members of Board and committees

18.(1) Members of—

- (a) the Board; or
- (b) an advisory committee appointed by the Board; or
- (c) a committee mentioned in section 25(2)(b)(iii);

are to be paid such fees and allowances as are approved by the Governor in Council.

(2) Members of the Board or of a committee mentioned in subsection (1) are entitled to be reimbursed such out of pocket expenses necessarily incurred by them in the performance of the duties of office as are approved by the Board.

Registrar and other officers employed under Public Service Act

19. The registrar and other officers of the board are to be employed under the *Public Service Act 1996*.

Funds of Board

20.(1) All amounts received by or on behalf of the Board are to be paid into and form part of the funds of the Board.

(2) Expenses of and incidental to the administration of this Act are to be paid from the funds of the Board.

(3) The Board is to cause a true and correct account to be kept of all amounts received by or on behalf of the Board and all expenditure incurred for the purposes of this Act.

Transfer of fees

20A.(1) All registration fees paid by or on behalf of dental technicians and dental prosthetists that, immediately before the commencement of this section, are held by or vested in the Dental Board of Queensland (the “**Dental Board**”) are, on that commencement, divested from the Dental Board and vested in the Board.

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(2) The Dental Board must take all necessary action to pay the fees to the Board.

Board is statutory body

20B.(1) Under the *Statutory Bodies Financial Arrangements Act 1982*, the Board is a statutory body.

(2) The *Statutory Bodies Financial Arrangements Act 1982*, part 2B sets out the way in which the Board's powers under this Act are affected by the *Statutory Bodies Financial Arrangements Act 1982*.

PART 3—REGISTRATION

Registers

21.(1) The Board is to keep the following registers in such form as it thinks fit—

- (a) the Register of Dental Technicians recording the names and other prescribed particulars of persons who are registered under this Act as dental technicians; and
- (b) the Register of Dental Prosthetists recording the names and other prescribed particulars of persons who are registered under this Act as dental prosthetists.

(2) The prescribed particulars mentioned in subsection (1) are—

- (a) for the register of dental technicians—the prescribed particulars stated in section 28(b); and
- (b) for the register of dental prosthetists—
 - (i) the prescribed particulars stated in section 28(b); and
 - (ii) details entered in the register under section 31A.

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Inspection of registers

22.(1) A person may, on payment of the prescribed fee—

- (a) inspect an entry in a register; or
- (b) obtain a copy of an entry, certified correct by the registrar.

(2) On request by a registration authority, and without fee, the Board may give to the registration authority a copy of an entry in a register, certified by the registrar.

(3) In subsection (2)—

“registration authority” means a person or body authorised by or under the law of another State, a Territory or another country to register persons authorised by that law to perform dental technical work or provide dental prosthetic services.

Publication of names of registered persons

23. The Board is to publish in the gazette a copy of the registers as at 1 May in each year certified as being correct by the registrar.

Applications for registration

24. An application to be registered is to be—

- (a) made in a form approved by the Board; and
- (b) supported by such evidence as the Board may require; and
- (c) lodged with the registrar; and
- (d) accompanied by the prescribed fee.

Qualifications for registration as dental technicians and prosthetists

25.(1) The Board is to register an individual as a dental technician if the person makes application under section 24 and satisfies the Board that—

- (a) the person is of good fame and character, and has an adequate ability to speak and understand the English language; and

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- (b) the person holds 1 of the following qualifications—
 - (i) successful completion of an apprenticeship as a dental technician under the *Training and Employment Act 2000*, or any other Act in force at any time before that Act;
 - (ii) successful completion of a course of training as a dental technician, either in or outside the State, being a course of training that is, in the opinion of the Board, of a standard at least equal to the apprenticeship referred to in subparagraph (i).

(2) The Board is to register an individual as a dental prosthetist if the person makes application under section 24 and satisfies the Board that—

- (a) the person is registered as a dental technician; and
- (b) the person holds 1 of the following qualifications—
 - (i) successful completion of an accredited course, within the meaning of the *Training and Employment Act 2000*, in the calling dental prosthetist;
 - (ii) successful completion of a course, in the calling dental prosthetist, elsewhere than in Queensland, being a course that is, in the opinion of the Board, of a standard at least equal to the course referred to in subparagraph (i);
 - (iii) where the application is received by the Board within the period of 2 years from the commencing day, successful completion of such oral, written and practical examinations as are arranged by a committee appointed by the Minister.

Registration of companies

26.(1) The Board is to register a company as a dental technician if—

- (a) the company makes application under section 24 and satisfies the Board that—
 - (i) the carrying on of business as a dental technician is within the authority conferred by its memorandum and articles of association; and

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- (ii) at least 1 of its directors is registered as a dental technician or dental prosthetist, or is a dentist; and
 - (iii) the controlling interest in the company is held by 1 or more persons registered as dental technicians or dental prosthetists, or dentists, or a combination of such persons; and
- (b) the company's name is an approved name.
- (2) The Board is to register a company as a dental prosthetist if—
- (a) the company makes application under section 24 and satisfies the Board that—
 - (i) the carrying on of business as a dental prosthetist is within the authority conferred by its memorandum and articles of association; and
 - (ii) at least 1 of its directors is registered as a dental prosthetist or is a dentist; and
 - (iii) the controlling interest in the company is held by 1 or more persons registered as dental prosthetists or dentists, or a combination of such persons; and
 - (b) the company's name is an approved name.

(3) In this section—

“approved name” means a name that—

- (a) is approved by the Board; and
- (b) is approved by any other person or authority that under a law other than this Act is required to approve the name of a company.

Attendance before Board of applicant

27.(1) The Board may, by written notice, require an applicant for registration, or, if the applicant is a company, a director of the company—

- (a) to give to the Board, orally or in writing, further information relating to the application as is specified in the notice; and
- (b) to attend before the Board for the purpose of giving information relating to the application.

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(2) If the applicant, or director fails to give information, or to attend, as required, the Board may refuse the application.

Entries in registers

28. Registration is effected by entering in the appropriate register—

- (a) the name of the person; and
- (b) the following prescribed particulars—
 - (i) in the case of an individual—
 - (A) the person's place of business in the State or, if there is no such place, the person's place of residence in the State; and
 - (B) the person's qualifications;
 - (ii) in the case of a company—
 - (A) the place at which the company carries on business in the State; and
 - (B) the names of the company's directors and members who are registered persons;
 - (iii) the allotted registration number;
 - (iv) the date of registration.

Provisional registration

29.(1) If the chairperson or, in the absence of the chairperson, a member of the Board authorised by the Board, is satisfied that a person who has applied to be registered is entitled to be registered as a dental technician or dental prosthetist, the chairperson or member may grant to the person a certificate of provisional registration as a dental technician or dental prosthetist, as the case may be.

(2) A person who has been granted a certificate of provisional registration as a dental technician or dental prosthetist is taken to be registered as a dental technician or dental prosthetist for a period of 6 months from the granting of the certificate or such shorter period as may be fixed by the Board either in

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the certificate or by written notice to the person.

(3) The Board may cancel the certificate of provisional registration.

(4) If the Board cancels the certificate of provisional registration, the cancellation is taken to be a refusal by the Board of the person's application to be registered.

(5) If the person to whom the certificate of provisional registration has been granted becomes registered while the certificate is still in force, the person's registration dates from the granting of the certificate unless otherwise decided by the Board.

Provisional registration for purposes of examination mentioned in s 25(2)(b)(iii)

29A.(1) An applicant for registration as a dental prosthetist may provide a dental prosthetic service for the purpose of completing that part of an examination mentioned in section 25(2)(b)(iii) that involves the provision of the service and, for that purpose only, the applicant is taken to be provisionally registered as a dental prosthetist.

(2) A person not registered as a dental prosthetist, who is appointed by a committee mentioned in section 25(2)(b)(iii) to conduct an examination mentioned in the provision, may provide a dental prosthetic service for the purpose of conducting the examination and, for that purpose only, is taken to be provisionally registered as a dental prosthetist.

Certificate of registration

30.(1) The Board is to issue a certificate of registration to each person who is registered.

(2) A certificate is evidence that the person named in the certificate was registered as a dental technician or dental prosthetist, as the case may be, on the day specified in the certificate.

(3) If the Board is satisfied that a certificate issued to a registered person has been lost, stolen or destroyed, the Board may issue to the person a duplicate certificate on payment of the prescribed fee.

(4) If a person ceases to be registered, the Board may by written notice

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require the person to deliver the certificate issued to the person to the registrar within 14 days of service of the notice on the person.

(5) A person to whom a notice is given under subsection (4), must comply with the notice unless the person has reasonable excuse for failing to do so.

Maximum penalty—2 penalty units.

Annual registration fee

31.(1) Within the period commencing on 1 January and ending on 30 April in each year, a registered person who desires to remain registered is to pay to the Board the prescribed annual registration fee.

(2) If the person fails to comply with subsection (1), the Board may, by written notice, inform the person that the person's registration will be cancelled if the person fails to pay the prescribed annual registration fee.

(3) If the person fails to pay the prescribed annual registration fee after being given the notice, the Board may cancel the person's registration.

(4) If the person's registration is cancelled under subsection (3), the Board is to restore the registration if the person makes written application to the Board and pays the prescribed annual registration fee and the prescribed restoration fee.

Removal from and alteration of registers

32.(1) A registered person must give written notice to the Board of any change of name or change in the prescribed particulars entered in the appropriate register within 30 days of the day on which the change happens.

(2) The Board is to—

- (a) remove from the appropriate register particulars of a registration if—
 - (i) in the case of an individual—the person has died, or has, in writing, requested the removal; or
 - (ii) in the case of a company—it has been wound up or has, in writing, requested the removal; and

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- (b) make such alterations to particulars in the appropriate register as are necessary for the register to be an accurate record of the registered particulars of dental technicians and dental prosthetists.

PART 4—PERFORMANCE OF DENTAL TECHNICAL WORK AND PROVISION OF DENTAL PROSTHETIC SERVICES

Restricted use of business names

35.(1) A registered person must not carry on business as a dental technician or dental prosthetist under a business name unless the name is a name that—

- (a) is approved by the Board; and
- (b) is approved by any other person or authority that under a law other than this Act is required to approve the name.

Maximum penalty—17 penalty units.

(2) In this section—

“business name” means a business name within the meaning of the *Business Names Act 1962*.

Continuation of practice of deceased registered person

36.(1) Where a registered person dies and, at the time of death, the person was carrying on business as a registered dental technician or dental prosthetist, the personal representative of the estate of the deceased person may continue the business for a period of 6 months following the death, or for such longer period as the Board, on written application made to it by the personal representative, permits, if—

- (a) the dental technical work performed in the business is performed by a registered dental technician; or
- (b) the dental prosthetic services provided in the business are

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provided by a registered dental prosthetist.

(2) When making an application under subsection (1), the personal representative is to notify the Board of the name of the registered person who will perform the dental technical work or provide the dental prosthetic services, as the case may be, in the business.

PART 5—APPEALS

Board to give notice of refusal of application

37.(1) If the board refuses an application by a person for registration as a dental technician or dental prosthetist, the registrar must, within 14 days of the refusal happening, give written notice of the refusal to the person.

(2) The notice must state—

- (a) the reasons for the board's decision to refuse the application; and
- (b) that the person may appeal against the decision to the District Court; and
- (c) how to appeal.

Appeals

53.(1) A person aggrieved by a refusal by the board of the person's application for registration as a dental technician or dental prosthetist may appeal against the board's decision to the District Court.

(1A) The decision of the District Court on the appeal is final and the board must give effect to it.

(2) The District Court may—

- (a) dismiss the appeal; or
- (b) allow the appeal and order the board to register the person as a dental technician or a dental prosthetist.

(3) The appeal—

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- (a) is to be instituted within 30 days after the person receives notice of the Board's decision, by filing a notice of appeal in the registry of the District Court at Brisbane and by complying with the rules of court applicable to such appeals; and
- (b) is by way of re-hearing on the material before the Board or, if the Judge hearing the appeal so orders, on material adduced on the appeal, or on both.

PART 6—MISCELLANEOUS

Fraudulent actions

54.(1) A person must not—

- (a) falsify a register, or a document relating to a register; or
- (b) make a false statement relating to a register; or
- (c) utter a false, forged or counterfeit certificate or document relating to a person's qualifications to perform dental technical work or to provide dental prosthetic services; or
- (d) procure, or attempt to procure, any person to be registered by means of any false or fraudulent representation or statement, oral or written; or
- (e) impersonate, or pretend to be, a person referred to in any document furnished to the Board, or in a certificate issued under or for the purposes of this Act; or
- (f) fraudulently, or by false representation, obtain a certificate of registration under this Act; or
- (g) forge, alter or counterfeit a certificate of registration under this Act; or
- (h) utter any forged, altered or counterfeit certificate of registration under this Act, knowing the certificate to be forged, altered or counterfeit; or

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- (i) falsely advertise or represent that a person is registered under this Act, or holds a certificate of registration under this Act, or to permit another to do so.

Maximum penalty—17 penalty units or imprisonment for 6 months, or both.

(2) Subsection (1) is in addition to and not in derogation of the Criminal Code, but a person cannot be punished both under this Act and under the code in respect of the same act.

(3) If a person has become registered by means that constitute an offence, on conviction of the person for the offence the person's name and other particulars are immediately to be removed from the register or registers in which they are entered.

General offence

55.(1) A person who contravenes any provision of this Act commits an offence against this Act and, except where a penalty is otherwise prescribed, is liable to a penalty of 17 penalty units.

(2) The penalty of 17 penalty units mentioned in subsection (1) does not apply for a contravention of a by-law.

(3) All penalties ordered to be paid in respect of offences against this Act are payable to the Board.

Proceedings generally

56.(1) Proceedings for an offence against this Act may be taken in a summary way under the *Justices Act 1886* on the complaint of the registrar or a person authorised by the Board, generally or in a particular case.

(2) Proceedings for an offence against this Act may be commenced within 1 year from the time when the matter of complaint arose, or within 6 months after the matter of complaint came to the knowledge of the Board, whichever period is the later to expire.

(3) All fees payable to the Board under this Act and all penalties and costs ordered by the Board to be paid to it under this Act, constitute a debt due to the Board and may be recovered—

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- (a) by way of action in a court of competent jurisdiction at the suit of the Board; or
- (b) in a summary way under the *Justices Act 1886* on the complaint of—
 - (i) the registrar; or
 - (ii) a person authorised by the Board generally or in a particular case.

Evidentiary provision

57. In any proceeding for the purposes of this Act—

- (a) a certificate purporting to be that of the registrar certifying—
 - (i) as to the state of any part of a register on a day or during a period specified in the certificate; or
 - (ii) that a named person was, or was not, on a day or during a period specified in the certificate, registered as a dental technician or dental prosthetist;is evidence of the matters contained in the certificate; and
- (b) a certificate purporting to be that of the registrar certifying that a person has been convicted of an offence or offences against this Act is evidence of the matters contained in the certificate; and
- (c) a part of a register, or an extract of part of a register, purporting to be certified as correct by the registrar is evidence of the matters contained in that part of the register; and
- (d) a statement, in a complaint commencing that proceeding, of the date on which the matter of complaint came to the knowledge of the Board is evidence of the statement; and
- (e) proof is not required of the appointment or signature of the registrar or other officer appointed for the effectual administration of this Act; and
- (f) proof is not required of the authority of a person to prosecute an offence against this Act or to take any proceeding on behalf of the Board.

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By-laws

58.(1) The Board may make by-laws, not inconsistent with this Act, with respect to any matter that—

- (a) is required or permitted to be prescribed by this Act; or
- (b) is necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) Without limiting subsection (1), the by-laws may make provision with respect to the following matters—

- (a) the powers and functions of the registrar and officers appointed for the effectual administration of this Act;
- (b) the registers and the manner of their keeping;
- (c) the making of applications to the Board, and consequences of furnishing false particulars in applications;
- (d) the conduct of, and procedures at, meetings or other proceedings of the Board;
- (e) the custody of the common seal of the Board, and the attestation of documents by or on behalf of the Board;
- (f) the purposes for which fees are payable under this Act, the amounts of fees, the persons who are liable to pay fees, when fees are payable, the waiver of fees and the recovery of unpaid amounts of fees;
- (fa) the allowances payable under this Act and the purposes for which they are payable;
- (g) advertising by registered persons;
- (h) premises at which dental technical work may be performed or dental prosthetic services may be provided;
- (i) penalties for breaches of a by-law, not exceeding, in the case of a company, 50 penalty units or, in the case of an individual, 10 penalty units.

(3) A by-law has no effect unless approved by the Governor in Council.

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Regulation-making power

59.(1) The Governor in Council may make regulations under this Act.

(2) A regulation may declare a course to be an approved dental prosthetics course or approved oral pathology course from a date before the declaration or for a stated period.

ENDNOTES

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 May 2002.

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3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
amdt	=	amendment	prov	=	provision
ch	=	chapter	pt	=	part
def	=	definition	pubd	=	published
div	=	division	R[X]	=	Reprint No.[X]
exp	=	expires/expired	RA	=	Reprints Act 1992
gaz	=	gazette	reloc	=	relocated
hdg	=	heading	renum	=	renumbered
ins	=	inserted	rep	=	repealed
lap	=	lapsed	s	=	section
notfd	=	notified	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
om	=	omitted	SIA	=	Statutory Instruments Act 1992
orig	=	original	SIR	=	Statutory Instruments Regulation 1992
p	=	page	SL	=	subordinate legislation
para	=	paragraph	sub	=	substituted
prec	=	preceding	unnum	=	unnumbered
pres	=	present			
prev	=	previous			

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only]

Reprint No.	Amendments included	Reprint date
1	to Act No. 66 of 1992	1 February 1993
1A	to Act No. 57 of 1995	4 September 1996
1B	to Act No. 61 of 1996	11 February 1997
2	to Act No. 47 of 1997	2 September 1997
2A	to Act No. 41 of 1998	21 December 1998
2B	to Act No. 58 of 1999	7 February 2000
2C	to Act No. 23 of 2000	11 October 2000

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5 Tables in earlier reprints

TABLES IN EARLIER REPRINTS

Name of table	Reprint No.
Renumbered provisions	1

6 List of legislation

Dental Technicians and Dental Prosthetists Act 1991 No. 57

date of assent 18 September 1991

pts 1–2 commenced on date of assent

s 60 (so far as it amends the Medical Acts and Other Acts (Administration) Act 1966) commenced 3 April 1992 (1992 SL No. 64)

remaining provisions commenced 9 October 1992 (1992 SL No. 294)

rep 1 May 2002 (2001 No. 5 s 220)

Note—ss 3, 4, 31A, 33 and 34 are relocated to the Dental Technicians and Dental Prosthetists Registration Act 2001 pt 10, div 3 and renumbered as ss 240–244 (2001 No. 5 s 248 sch 3)

amending legislation—

Statute Law (Miscellaneous Provisions) Act 1992 No. 36 ss 1–2 sch 2

date of assent 2 July 1992

amdt 1 commenced 18 September 1991 (see s 2 sch 2)

amdt 2 commenced 3 April 1992 (see s 2 sch 2)

Health Legislation Amendment Act 1992 No. 66 pts 1, 4

date of assent 7 December 1992

ss 1–2 commenced on date of assent

remaining provisions commenced 18 December 1992 (1992 SL No. 450)

Health Legislation Amendment Act 1993 No. 79 pts 1, 5

date of assent 17 December 1993

ss 1–2 commenced on date of assent

remaining provisions commenced 14 March 1994 (1994 SL No. 84)

Statute Law Revision Act 1995 No. 57 ss 1–2, 4 sch 1

date of assent 28 November 1995

commenced on date of assent

Public Service Act 1996 No. 37 ss 1–2, 147 sch 2

date of assent 22 October 1996

ss 1–2 commenced on date of assent

remaining provisions commenced 1 December 1996 (1996 SL No. 361)

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Statutory Bodies Financial Arrangements Amendment Act 1996 No. 54 ss 1–2, 9 sch

date of assent 20 November 1996
 ss 1–2 commenced on date of assent
 remaining provisions commenced 1 June 1997 (1997 SL No. 128)

Health Legislation Amendment Act (No. 2) 1996 No. 61 ss 1–2, 15 sch

date of assent 9 December 1996
 ss 1–2 commenced on date of assent
 remaining provisions commenced 20 December 1996 (1996 SL No. 402)

Dental Technicians and Dental Prosthetists Amendment Act 1997 No. 47

date of assent 29 August 1997
 commenced on date of assent

Health and Other Legislation Amendment Act 1998 No. 41 ss 1, 2(2), 14(2) sch 2

date of assent 27 November 1998
 ss 1–2 commenced on date of assent
 remaining provisions commenced 21 December 1998 (1998 SL No. 346)

Health Practitioners (Professional Standards) Act 1999 No. 58 ss 1–2 pt 14 div 3

date of assent 18 November 1999
 ss 1–2 commenced on date of assent
 remaining provisions commenced 7 February 2000 (1999 SL No. 327)

Training and Employment Act 2000 No. 23 ss 1, 2(3), 293 sch 2

date of assent 27 June 2000
 ss 1–2 commenced on date of assent
 remaining provisions commenced 28 September 2000 (2000 SL No. 248)

Dental Technicians and Dental Prosthetists Registration Act 2001 No. 5 ss 1–2, 248 sch 3

date of assent 11 May 2001
 ss 1–2 commenced on date of assent
 remaining provisions commenced 1 May 2002 (2002 SL No. 74)

7 List of annotations

Commencement

s 2 om R2 (see RA s 37)

Interpretation

s 3 amd 2001 No. 5 s 248 sch 3
 reloc (as 2001 No. 5 s 240) 2001 No. 5 s 248 sch 3
 def “**approved dental prosthetics course**” ins 1997 No. 47 s 3
 def “**approved oral pathology course**” ins 1997 No. 47 s 3
 def “**Board**” om 2001 No. 5 s 248 sch 3
 def “**chairperson**” om 2001 No. 5 s 248 sch 3
 def “**commencing day**” om 2001 No. 5 s 248 sch 3
 def “**dentist**” sub 2001 No. 5 s 248 sch 3

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- def “**deputy chairperson**” om 2001 No. 5 s 248 sch 3
 def “**fee**” ins 1992 No. 66 s 21
 om 2001 No. 5 s 248 sch 3
 def “**medical practitioner**” om 1993 No. 79 s 22
 def “**register**” om 2001 No. 5 s 248 sch 3
 def “**registered**” om 2001 No. 5 s 248 sch 3
 def “**registrar**” om 2001 No. 5 s 248 sch 3
 def “**utter**” om 2001 No. 5 s 248 sch 3

Application of div 3

- prov hdg** amd 2001 No. 5 s 248 sch 3
s 4 amd 2001 No. 5 s 248 sch 3
 reloc (as 2001 No. 5 s 241) 2001 No. 5 s 248 sch 3

Membership

- s 7** amd 1996 No. 61 s 15 sch

Entitlements of members of Board and committees

- s 18** amd 1992 No. 66 s 22

Registrar and other officers employed under Public Service Act

- s 19** amd 1992 No. 36 s 2 sch 2
 sub 1996 No. 37 s 147 sch 2

Transfer of fees

- s 20A** ins 1992 No. 66 s 23

Board is statutory body

- s 20B** ins 1996 No. 54 s 9 sch

Registers

- s 21** amd 1997 No. 47 s 4

Qualifications for registration as dental technicians and prosthetists

- s 25** amd 1993 No. 79 s 23; 2000 No. 23 s 293 sch 2

Provisional registration for purposes of examination mentioned in s 25(2)(b)(iii)

- s 29A** ins 1992 No. 66 s 24

Entering in register of additional information

- s 31A** ins 1997 No. 47 s 5
 amd 2001 No. 5 s 248 sch 3
 reloc (as 2001 No. 5 s 242) 2001 No. 5 s 248 sch 3

Authority to practise restricted to registrants

- prov hdg** amd 2001 No. 5 s 248 sch 3
s 33 amd 2001 No. 5 s 248 sch 3
 reloc (as 2001 No. 5 s 243) 2001 No. 5 s 248 sch 3

Restriction on performance of dental technical work and provision of dental prosthetic services

- s 34** amd 1997 No. 47 s 6
 amd 2001 No. 5 s 248 sch 3
 reloc (as 2001 No. 5 s 244) 2001 No. 5 s 248 sch 3

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PART 5—APPEALS

pt hdg sub 1999 No. 58 s 424

Board to give notice of refusal of application

s 37 sub 1999 No. 58 s 425

Notice of inquiry

s 38 om 1999 No. 58 s 425

Constitution of Board

s 39 om 1999 No. 58 s 425

Inquiry not open to public

s 40 om 1999 No. 58 s 425

Records

s 41 om 1999 No. 58 s 425

Procedure

s 42 om 1999 No. 58 s 425

Representation

s 43 om 1999 No. 58 s 425

Powers of Board

s 44 om 1999 No. 58 s 425

Inspection of documents

s 45 om 1999 No. 58 s 425

Allowance to witness

s 46 om 1999 No. 58 s 425

Offences—inquiries

s 47 om 1999 No. 58 s 425

Self incrimination

s 48 om 1999 No. 58 s 425

Board may order cancellation of registration etc.

s 49 om 1999 No. 58 s 425

Cancellation and suspension of registration

s 50 om 1999 No. 58 s 425

Notice of Board's decisions

s 51 om 1999 No. 58 s 425

Restoration of registration

s 52 om 1999 No. 58 s 425

Appeals

s 53 amd 1992 No. 66 s 25; 1995 No. 57 s 4 sch 1; 1999 No. 58 s 426

Fraudulent actions

s 54 amd 1999 No. 58 s 427

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General offence

s 55 amd 1998 No. 41 s 14(2) sch 2

By-laws

s 58 amd 1992 No. 66 s 26

Regulation-making power

s 59 sub 1996 No. 61 s 15 sch; 1997 No. 47 s 7

Amendments of Acts

s 60 om R1 (see RA s 40)

SCHEDULE—AMENDMENTS OF ACTS

amd 1992 No. 36 s 2 sch 2

om R1 (see RA s 40)

8 List of forms

Form DT 12 Version November 1998—Application for Registration as a Dental Technician in Queensland

pubd gaz 28 May 1999 p 392

Form DT 12m Version November 1998—Application for Registration under Mutual Recognition as a Dental Technician in Queensland

pubd gaz 28 May 1999 p 392

Form DP 12m Version November 1998—Application for Registration under Mutual Recognition as a Dental Prosthetist in Queensland

pubd gaz 28 May 1999 p 392

Form DT 12MNZ Version April 1999—Application for Registration under Trans-Tasman Mutual Recognition as a Dental Technician in Queensland

pubd gaz 28 May 1999 p 392

Form DT 12MNZ Version April 1999—Application for Registration under Trans-Tasman Mutual Recognition as a Dental Prosthetist in Queensland

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