1960

c 90 Dental Technicians Act

Ontario
CHAPTER 90

The Dental Technicians Act

1. In this Act,

(a) "Board" means the Governing Board of Dental Technicians;

(b) "dental technician" means a person who upon the prescriptions or orders of legally qualified dentists or physicians makes, produces, reproduces, constructs, furnishes supplies, alters or repairs any prosthetic denture, bridge, appliance or thing to be used in, upon or in connection with a human tooth, jaw or associated structure or tissue, or in the treatment of any condition thereof;

(c) "register" means the register under this Act. R.S.O. 1950, c. 91, s. 1.

2.-(1) The board of governors known as the Governing Board of Dental Technicians established under The Dental Technicians Act, 1946 is continued and shall be composed of five persons appointed by the Lieutenant Governor in Council. R.S.O. 1950, c. 91, s. 2 (1), amended.

(2) Every member of the Board shall hold office for a period of two years, but any member is eligible for re-appointment at the expiration of his term of office.

(3) Every vacancy on the Board caused by the death, resignation or incapacity of a member may be filled by the appointment by the Lieutenant Governor in Council of a person to hold office for the remainder of the term of such member. R.S.O. 1950, c. 91, s. 2 (2, 3).

(4) The chairman, the vice-chairman and the secretary-treasurer of the Board shall be elected by the Board from time to time from among its members. R.S.O. 1950, c. 91, s. 2 (4), amended.
3.—(1) Subject to the approval of the Lieutenant Governor in Council, the Board may make regulations,

(a) providing for the admission of dental technicians to carry on business in Ontario and for the registration of all persons so admitted, including the fees payable for registration, not exceeding $25 for each person registered;

(b) prescribing the qualifications of persons so to be admitted and the proofs to be furnished as to education and good character;

(c) providing for maintaining a register of persons so admitted to carry on business and providing for the annual renewal of registration and prescribing the fees payable thereon, not exceeding $25 annually for each person registered;

(d) prescribing the discipline and control of registered technicians, including the adoption and enforcement of reasonable canons of ethics;

(e) providing for the investigation of any complaint that a dental technician has been guilty of misconduct or displayed such incompetence as to render it desirable in the public interest that his registration should be cancelled or suspended;

(f) providing for the cancellation or suspension of the registration of any person found by the Board to be guilty of misconduct or to have been incompetent;

(g) defining "misconduct" for the purpose of this section and the regulations;

(h) providing for the payment of reasonable fees and disbursements to members of the Board in respect to the discharge of the duties of the Board;

(i) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

(2) All regulations made by the Board shall be submitted in writing to The Royal College of Dental Surgeons of Ontario not less than thirty days before being submitted to the Lieutenant Governor in Council for approval, and any submissions on the part of the College with respect to any such
regulations shall be presented to the Lieutenant Governor in Council with the application for approval of the regulations. R.S.O. 1950, c. 91, s. 3.

4.—(1) A person registered under this Act has the right to use the designation "Registered Dental Technician" and may describe his business as a dental laboratory.

(2) A person is not entitled to use the designation "Dental Technician" or "Registered Dental Technician" or any other name, title, initials or description implying that he is a dental technician unless he is registered under this Act. R.S.O. 1950, c. 91, s. 4.

5. Nothing in this Act or the regulations applies to or affects the practice of any profession or calling by any person practising the profession or engaged in the calling under the authority of any general or special Act of the Legislature. R.S.O. 1950, c. 91, s. 5.

6.—(1) Nothing in this Act or the regulations shall be deemed to prohibit a person from working as an employee of a legally qualified dentist and, in the course of or as the whole or a part of his duties as such employee, performing for his employer work or services of a kind ordinarily performed by a dental technician.

(2) Nothing in this Act shall be deemed to prohibit,

(a) a dentist within the meaning of The Dentistry Act;

(b) a physician within the meaning of The Medical Act;

(c) a hospital dispensary, university or municipal clinic acting upon the prescription or order of a legally qualified dentist or physician; or

(d) apprenticed dental technicians and other persons working as employees of a registered dental technician,

from performing work or services ordinarily performed by a dental technician.

(3) Nothing in this section shall be deemed to permit a person who is not a registered dental technician to engage generally in the service of dentists or of two or more dentists in the performance of the work of a dental technician, but working in the service of a firm or association of dentists
practising as partners or similarly associated with one another
shall be deemed working in the service of one dentist. R.S.O.
1950, c. 91, s. 6.

Corporations

7. Nothing in this Act shall be deemed to prohibit a
registered dental technician from carrying on business as a
dental technician through and in the name of a corporation
where the corporation has a registered dental technician in
charge of its operations, but in such case each of such dental
technicians shall be deemed guilty of any infringement of
The Dentistry Act or of this Act or of the regulations thereunder
committed by such corporation. R.S.O. 1950, c. 91, s. 7.

8. Nothing in this Act or the regulations limits, alters or
affects the application of any provision of The Dentistry Act
or of any by-law made thereunder. R.S.O. 1950, c. 91, s. 8.

9. Every person who, not being registered under this Act,
carries on business or holds himself out as carrying on business
as a dental technician, or who advertises or uses or affixes
any prefix to his name signifying that he is qualified to carry
on business as a dental technician, is guilty of an offence and
on summary conviction is liable to a fine of $50 for a first
offence, $100 for a second offence, and $200 for a third or
subsequent offence. R.S.O. 1950, c. 91, s. 9.

10.-(1) In all cases where proof of registration under this
Act is required to be made, the production of a printed or other
copy of the register, certified under the hand of the secretary-
treasurer of the Board, is sufficient evidence of all persons
who are registered dental technicians in lieu of the production
of the original register, and any certificate upon such printed
or other copy of the register, purporting to be signed by a
person in his capacity of secretary-treasurer of the Board,
is prima facie evidence of his signature and election. R.S.O.
1950, c. 91, s. 10 (1), amended.

(2) The absence of the name of a person from such copy
is prima facie evidence that such person is not registered
according to this Act.

(3) In the case of a person whose name does not appear in
such copy, a certified copy under the hand of the secretary-
treasurer of the Board of the entry of the name of such person
on the register is evidence that such person is registered under
this Act. R.S.O. 1950, c. 91, s. 10 (2, 3).