

21-22 ELIZABETH II

CHAPTER 55

An Act respecting The National Dental Examining Board of Canada

[Assented to 21st December, 1973]

Preamble Whereas The National Dental Examining Board of Canada, hereinafter called "the Board", has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Name in French 1. The Board may use, in the transaction of its business, either the name The National Dental Examining Board of Canada or the name Le Bureau national d'examen dentaire du Canada, or both of such names as and when it so elects. It may sue or be sued in either or both of such names, and any transaction, contract or obligation entered into or incurred by the Board in either or both of the said names shall be valid and binding on the Board.

Existing rights saved 2. Nothing contained in section 1 shall in any way alter or affect the rights or liabilities of the Board, except as therein expressly provided, or in any way affect any proceeding or judgment now pending, either by or in favour of or against the Board, which, notwithstanding the provisions of section 1, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

3. Section 6 of chapter 69 of the statutes of 1952 is repealed and the following substituted therefor:

Purposes
of Board

"6. The purposes of the Board shall be

(a) to establish qualifying conditions for a single national standard certificate of qualification for general practitioner dentists;

(b) to establish qualifying conditions for national standard certificates of qualification for dental specialists subject to the approval of The Royal College of Dentists of Canada;

(c) to ensure that the rules and regulations governing examinations will be acceptable to all participating licensing bodies and provide for the conducting of examinations in a manner fair and equitable for all concerned; and

(d) to promote enactment, with the consent and at the instance of the provincial licensing bodies, of provincial legislation necessary or desirable to supplement the provisions of this Act."

4. Section 7 of chapter 69 of the statutes of 1952 is repealed and the following substituted therefor:

Powers
of Board

"7. The Board shall have power to

(a) establish qualifications for general practitioner dentists to ensure that the qualifications may be recognized by the appropriate licensing bodies in all provinces of Canada;

(b) establish, subject to the approval of the Royal College of Dentists of Canada, qualifications for dental specialists, to ensure that, in each case the qualifications may be recognized by the appropriate licensing bodies in all provinces of Canada;

(c) establish the conditions under which a general practitioner dentist

may obtain and hold a certificate of qualification;

(d) establish subject to the approval of The Royal College of Dentists of Canada, the conditions under which a dental specialist may obtain and hold a certificate of qualification;

(e) prescribe compulsory examinations as evidence of qualifications for registration, subject to the rights of The Royal College of Dentists of Canada as hereinafter set forth;

(f) establish and maintain a body of examiners to hold examinations and to recommend the granting of certificates of qualification to general practitioner dentists;

(g) establish and maintain a body of examiners appointed by The Royal College of Dentists of Canada to hold examinations and make recommendations concerning the granting of certificates of qualification of properly trained dental specialists;

(h) issue certificates of qualification to general practitioner dentists and dental specialists in accordance with the recommendation of the examiners;

(i) establish a register for Canada of general practitioner dentists and dental specialists who have been granted certificates of qualification by the Board;

(j) delete from the register the name of any person whose provincial registration has been cancelled or suspended and to restore such name to the register if and when such cancellation or suspension is reversed, or the period of suspension is terminated; and

(k) publish and revise the register from time to time."

5. Chapter 69 of the statutes of 1952 is further amended by adding thereto, as section 11 thereof, the following:

Certificate of
qualification

"11. (1) The Board shall issue its certificate of qualification to all Fellows of The Royal College of Dentists of Canada who are dental specialists, and whose specialties are recognized by the Canadian Dental Association and who make application for such a certificate within five years from the date on which this Act comes into force.

Dissolution

(2) In the event of the dissolution of The Royal College of Dentists of Canada, all powers conferred upon it herein shall become vested in The National Dental Examining Board. Any reference in this Act to The Royal College of Dentists of Canada or The National Dental Examining Board shall include their successors or assigns."

1 ELIZABETH II.

CHAP. 69.

An Act to incorporate The National Dental Examining Board of Canada.

[Assented to 18th June, 1952.]

WHEREAS the persons hereinafter named have by their Preamble.
petition prayed that it be enacted as hereinafter set
forth and it is expedient to grant the prayer of the petition:
Therefore Her Majesty, by and with the advice and consent
of the Senate and House of Commons of Canada, enacts as
follows:—

1. Harold M. Cline, doctor of dental surgery, of the Incorporation.
city of Vancouver in the province of British Columbia,
Gustave Ratte, doctor of dental surgery, of the city of
Quebec in the province of Quebec, and Don W. Gullett,
doctor of dental surgery, of the city of Toronto, in the
province of Ontario, together with such persons as may
hereafter become members of the Board as hereinafter
provided, are incorporated under the name of "The National
Dental Examining Board of Canada", hereinafter called
"the Board".

2. The persons named in section one of this Act shall be Provisional
members of
Board.
provisional members of the Board with power to organize
the Board as in this Act provided.

3. The head office of the Board shall be at the city of Head office.
Toronto, in the province of Ontario, or at such other place
as the Board may determine by by-law from time to time.

4. (1) The Board shall be composed of Composition
of Board.
(a) one member appointed as its representative by the
appropriate licensing body of each province in Canada:
and
(b) two members appointed by the Council on Dental
Education of the Canadian Dental Association.

Term of
office.

(2) The term of office for each member of the Board shall be three years, except in respect of the members appointed to constitute the first Board.

Term of
office of
first Board.

(3) The term of office for one-half of the members of the first Board shall be two years and for the other one-half shall be four years; the members constituting each such one-half shall be chosen by lot in such manner as the Board may determine.

Re-appoint-
ment.

(4) A member of the Board on the expiration of his term of office, if properly qualified, shall be eligible for re-appointment.

If provincial
licensing body
fails to
appoint a
member to
the Board.

(5) If the appropriate licensing body of any province fails to appoint a member of the Board within a reasonable time after a vacancy occurs, the Secretary of the Board shall notify such licensing body and require such licensing body to make such appointment and certify the result to the Board within one month of the date of service of the notice.

Members
continue in
office until
successors
appointed.

(6) All members of the Board shall continue in office until their successors are appointed or until expiration of their term of office if their successors are appointed before the expiration of such term of office.

Provincial
licensing
body may
withdraw
from Board.

5. (1) The appropriate licensing body of any province may at any time upon twelve month's notice to the Board, withdraw from participation in and recognition of the activities of the Board, and such licensing body shall not thereafter, so long as such withdrawal continues, be entitled to appoint any representative to the Board.

May again
become
associated
with Board.

(2) The Board may upon the application of any licensing body which has so withdrawn, restore the participation and representation of such licensing body.

Purposes of
the Board.

6. The purposes of the Board shall be

- (a) to establish qualifying conditions for a single standard national dental certificate of qualification, which may be recognized by the dental profession as the highest in Canada;
- (b) to ensure that the rules and regulations governing examinations will be acceptable to all participating licensing bodies and will provide for the conducting of examinations in a manner fair and equitable for all concerned; and
- (c) to promote enactment, with the consent and at the instance of the corporate members of The Canadian Dental Association, of provincial legislation necessary or desirable to supplement the provisions of this Act.

Powers
of the
Board.

7. The Board shall have power to

- (a) establish a qualification in dentistry such that it will be recognized by the appropriate licensing bodies in all the provinces of Canada;

(b)

- (b) determine and establish the qualifications for and conditions under which a person may obtain and hold a certificate of qualification as aforesaid and may be registered or restored to registration;
- (c) prescribe examinations to be undergone with respect to professional subjects and such other requirements for registration as the Board may require;
- (d) establish and maintain a body of examiners to hold examinations and recommend the granting of certificates of qualification;
- (e) issue a single type of certificate of qualification;
- (f) establish a register for Canada of dental practitioners who have been granted certificates of qualification by the Board;
- (g) delete from the register the name of any person whose provincial registration has been cancelled or suspended, and to restore such name to the register if and when such cancellation or suspension is reversed or terminated; and
- (h) publish and revise such register from time to time.

8. (1) The Board may make such by-laws and regulations, not contrary to law or the provisions of this Act, as it may deem necessary or advisable for By-laws.

- (a) the government and management of its business and affairs;
- (b) the selection and election or appointment and remuneration of officers and employees and prescription of their respective powers and duties;
- (c) the imposition and collection of dues or fees; and
- (d) the carrying into effect of the purposes of the Board and its powers under this Act.

(2) The Board may, from time to time alter or repeal all or any of such by-laws or regulations as it may see fit.

(3) No such by-law or regulation shall be enacted, altered or repealed except with the concurrence of two-thirds of the representatives on the Board of the provincial licensing bodies then represented on the Board.

9. The Board may acquire, own, hold, deal with and dispose of, subject to the provisions of applicable provincial laws, any real and personal estate and property rights and privileges necessary or expedient for the purposes of the Board. Board may hold property.

10. The Board shall have power to

- (a) borrow money on the credit of the Board when required for the purposes of the Board and to give security for any sum or sums of money so borrowed; and Board may borrow money, etc.

(b) draw, make, accept and endorse all bills of exchange and promissory notes necessary for the purposes of the Board under the hands of such officers as may be designated by the by-laws and in no case shall it be necessary that the seal of the Board be affixed thereto nor shall the signing officers be individually responsible therefor, provided that nothing herein shall be construed to authorize the Board to issue notes or bills of exchange payable to bearer or intended to be circulated as money or as notes or bills of a bank.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
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