

*The Committee of Council submit for the consideration of  
His Honour the Lieutenant-Governor a Bill intituled*

Dentistry Amendment Act, 1976

*and advise that the same be transmitted by Message to the  
Legislative Assembly.*

*Victoria, 8th day of June, A.D. 1976*

*W. R. Bennett*  
*Presiding Member of the Executive Council.*

*Approved this 8th day of June, A.D. 1976*

*W. S. Quinn*  
*Lieutenant-Governor.*

WLB

W S Queen

Lieutenant-Governor

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First Session, Thirty-first Parliament  
25 Elizabeth II, 1976  
Legislative Assembly of British Columbia

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**BILL 70**  
**DENTISTRY AMENDMENT ACT, 1976**

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Honourable Minister of Health

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**EXPLANATORY NOTES**

**SECTION 1:** Section 3 of the Act contains the general powers of the College of Dental Surgeons. The amendment makes it clear that the power to borrow and guarantee payment of money is included.

**SECTION 2:** Self-explanatory.

**SECTION 3:** The membership of the College Council is expanded. Section 5 presently reads:

**5.** The number of members of the Council shall be not less than ten, nine of whom shall be elected by the dental electoral districts established under this Act and from the general membership of the College at large, and one of whom shall be appointed annually by the Lieutenant-Governor in Council.

## BILL

No. 70]

[1976

## Dentistry Amendment Act, 1976

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

R.S.B.C.  
1960  
c. 99  
s. 3.

1. Section 3 of the *Dentistry Act* is amended by adding "and to borrow, raise, guarantee, or secure the payment of money" after "real estate".

s. 3A.  
Duties.

2. The following section is added after section 3:
- 3A. It is the duty of the College to protect the public interest in matters relating to dentistry and this Act, and the College may, to carry out its duty,
- (a) enter into such arrangements and agreements as may be required in the opinion of the Council to promote and provide adequate dental treatment in any area of the Province,
  - (b) co-operate with the Government and other persons who promote, provide, or administer prepaid or insured dentistry programs within the Province and enter into arrangements or agreements with those persons for the gathering and collation of statistics relating to those programs or for the processing of claims or payment of services rendered under those programs by members of the College and bodies ancillary to the profession of dentistry, and
  - (c) provide fee guides for services rendered by persons registered under this Act.

s. 5.  
Council  
members.

3. Section 5 is repealed and the following substituted:
5. (1) The Council shall consist of 15 members or such greater number as the Council may prescribe, and the members shall be selected as follows:
- (a) members elected from each dental electoral district established under this Act and from the general membership at large;
  - (b) one person appointed by the Lieutenant-Governor in Council;
  - (c) one person, selected as may be provided by the Council, from each of the ancillary bodies to the profession of dentistry approved by the Council and established pursuant to section 25 (4);
  - (d) one person, selected as may be provided by the Council, by, and from, the faculty of dentistry of a university;
  - (e) one person appointed by the Dental Inter Specialty Society of British Columbia.

**SECTION 4:** The amendment to section 22 (1) (a) makes it clear that the approval of the Council is to be made by regulation.

**SECTION 5:** The procedure for approving rules, etc., is varied and the new subsection (8) allows the College to require its members to take continuing educational training.

**SECTION 6:** Section 27 (1) presently reads:

(1) The Council may, subject to the approval of the Lieutenant-Governor in Council, make all regulations necessary for the conduct of the examinations of candidates applying for registration under the provisions of section 22, and appoint such times and places therefor, as it may deem fit.

**SECTION 7:** Section 30 (b) specifies the amount payable to the College for each examination.

**SECTION 8:** The revised section 37 (3) allows the Council to determine whether a member can continue practice pending an appeal. The subsection presently reads:

(3) All orders or directions made by the Council under this section shall be stayed for a period of twelve clear days from the making thereof, and if within the said period such member duly appeals from such order as provided in section 51, the order or direction appealed from shall be further stayed until the final determination of such appeal.

**SECTION 9:** The present section 70 prohibits all corporations from practising dentistry including government corporations and hospitals. The new section 70 is intended to remove this anomaly.

- s. 22. 4. Section 22 (1) (a) is amended by adding "regulation of" after "university approved by".
- s. 25. 5. Section 25 is amended
- (a) in subsection (1), by striking out "shall, before coming into force, be approved by the Lieutenant-Governor in Council." and substituting "and any others made under this Act shall be filed with the Minister of Health and shall come into force 3 months after the date of filing unless disallowed by order of the Lieutenant-Governor in Council before they come into force.".
  - (b) in subsection (4), by striking out " , subject to the approval of the Lieutenant-Governor in Council," and
  - (c) by adding the following after subsection (7):
    - (8) The Council may
      - (a) require persons or classes of persons registered under this Act to undertake continuing training or education as a condition of continuing in practice,
      - (b) provide for any or all of the programs of training and education, and
      - (c) prescribe fees for the programs.
- s. 27. 6. Section 27 (1) is repealed and the following substituted:
- (1) The Council shall make regulations respecting the qualifications required for acceptance of candidates for examination and for the conduct and scheduling of examinations of candidates applying for registration under section 22.
- s. 30. 7. Section 30 (b) is amended by striking out "one hundred dollars" and substituting "an amount prescribed by the Council".
- s. 37. 8. Section 37 (3) is repealed and the following substituted:
- (3) Where the Council orders the suspension from practice or erasure from the register of a person registered under this Act, it may specify in its order whether the suspension or erasure shall be stayed pending an appeal to the Court under this Act, and may impose terms and conditions with respect to the person's practice during a stay.
- s. 70. 9. Section 70 is repealed and the following substituted:
- Corporation practising as dentist.**  
70. Except as permitted by the Council, the Minister of Health, or by an Act, no corporation shall carry on the practice of dentistry and no dentist, directly or indirectly, shall assist or be employed by a corporation for the purpose of practising dentistry.

**SECTION 10: Self-explanatory.**

**SECTION 11: The amendment to section 80 (2) allows the Council to make grants for the establishment of clinics and prepaid or insured dentistry plans and for the gathering of statistics.**

- S. 71A.** **Professional liability.**
- 10.** The following is added after section 71:
- 71A.** (1) The Council may, by regulation, establish a compulsory professional liability program on such terms and conditions as it considers advisable.
- (2) The program shall be for the benefit of members and their employees including members of ancillary bodies.
- (3) The Council may exempt or exclude persons or classes of persons from participation in the program.
- (4) The program may be established and maintained by means of an assessment on persons registered under this Act in order to establish a professional claims fund or in order to enter into a group insurance contract with an insured either alone or jointly with one or more dental associations or governing bodies of the dental profession in Canada.
- s. 80.**
- 11.** Section 80 (2) is amended by adding the following after paragraph (c):
- (d) for the purposes of section 3A.