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Dental Registration (Amendment) Bill

Bill No. 16/2021.

Read the first time on 5 July 2021.

A BILL

intituled

An Act to amend the Dental Registration Act.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act is the Dental Registration (Amendment) Act 2021 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

5 Amendment of section 13

2. Section 13(1) of the Dental Registration Act (called in this Act the principal Act) is amended by deleting the words “and (2)” in paragraph (a)(i)(A) and substituting the words “, (2) and (3)”.

Repeal and re-enactment of section 14

10 3. Section 14 of the principal Act is repealed and the following section substituted therefor:

“Full registration

15 14.—(1) Subject to subsection (4) and section 15(1), (2) and (5), the Council must, upon receiving an application for full registration from a person who holds a Singapore degree, register the person as a fully registered dentist.

20 (2) Subject to subsection (4), the Council may, upon receiving an application for full registration from a person who does not hold a Singapore degree but holds another qualification recognised by the Council, register the person as a fully registered dentist if the person satisfies the Council that the person has special knowledge and skill and sufficient experience in any particular branch of dentistry.

25 (3) The Council may, upon receiving an application for full registration under section 14A(6) from a person and having regard to —

(a) the knowledge and skill shown and the experience acquired by the person; and

30 (b) the report or reports of the fully registered dentist or dentists mentioned in section 14A(4)(a) and (aa),

register the person as a fully registered dentist.

(4) The Council may, if it is of the view that it is not in the public interest for a person mentioned in subsection (1) or (2) to be registered as a fully registered dentist, direct that the person be registered as a dentist with conditional registration under section 14A(1) instead.”

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Amendment of section 14A

4. Section 14A of the principal Act is amended —

(a) by deleting subsections (1) and (2) and substituting the following subsections:

“(1) The Council may register any of the following persons as a dentist with conditional registration:

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(a) a person mentioned in section 14(4);

(b) a person who —

(i) holds a degree in dentistry from a university specified in the Schedule;

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(ii) has been selected for employment in Singapore as a dentist in any hospital or other institution or dental practice approved by the Council; and

(iii) has passed an examination (whether conducted or arranged by the Council, or by such other person as the Council appoints) demonstrating to the satisfaction of the Council that the applicant has the requisite knowledge, skill and experience which are necessary for practice as a dentist (called in this section a qualifying examination);

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(c) a person who —

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(i) has been selected for employment in Singapore as a dentist in any hospital

or other institution or dental practice approved by the Council; and

- (ii) is, under subsection (2), permitted by the Council to sit for and has passed a qualifying examination.

(2) The Council may permit a person who does not hold a Singapore degree or a degree in dentistry from a university specified in the Schedule to sit for a qualifying examination if —

- (a) the person holds a degree in dentistry that is, in the opinion of the Council, not lower in standing than a degree in dentistry from a university specified in that Schedule;
- (b) the person possesses dental knowledge, experience and skill which the Council considers to be of a standing not lower than that of a person practising as a dentist in Singapore;
- (c) it is in the interest of the profession to develop an area of dental knowledge or skill in Singapore; or
- (d) it is otherwise in the public interest to permit the person to sit for the qualifying examination.”;

(b) by deleting the words “a fully registered dentist” in subsection (4)(a) and substituting the words “one or more fully registered dentists”;

(c) by deleting the word “and” at the end of paragraph (a) of subsection (4), and by inserting immediately thereafter the following paragraph:

“(aa) that the person’s performance is subject to review by the fully registered dentist or dentists, as the case may be; and”;

(d) by deleting subsection (7); and

(e) by renumbering subsection (8) as subsection (7).

Amendment of section 21A

5. Section 21A(5) of the principal Act is amended by deleting the words “knowledge and skill and has acquired the experience which is” and substituting the words “requisite knowledge, skill and experience which are”.

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Amendment of section 54

6. Section 54 of the principal Act is amended —

(a) by deleting subsections (1) and (2) and substituting the following subsections:

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“(1) All fees, penalties and other moneys payable to the Council under this Act or any regulations made under this Act that are not paid are recoverable as a debt due to the Council.

(2) Subject to subsection (2A), all fees and other moneys (other than penalties) collected or recovered by the Council under this Act or any regulations made under this Act are to be paid to the Council.

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(2A) All penalties collected or recovered under this Act or any regulations made under this Act must be paid into the Consolidated Fund.”; and

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(b) by inserting, immediately after the word “Council” in the section heading, the word “, etc.”.

Repeal and re-enactment of section 58

7. Section 58 of the principal Act is repealed and the following section substituted therefor:

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“Protection from personal liability

58. No liability shall lie against —

(a) any member of the Council;

(b) any member of —

- (i) the Dental Specialists Accreditation Board; and
- (ii) any committee appointed by the Dental Specialists Accreditation Board under section 32A(10);

(c) the chairman of the Complaints Panel;

(d) any member of —

- (i) any Complaints Committee, Disciplinary Committee or Interim Orders Committee;
- (ii) the Health Committee; and
- (iii) any committee appointed by the Council under this Act; or

(e) any employee of the Council or any other person acting under the direction of the Council,

for anything which is done or purported to be done, or omitted to be done, in good faith and with reasonable care in the exercise or purported exercise of any power or the performance or purported performance of any function under this Act or any regulations made under this Act.”.

Amendment of section 61B

8. Section 61B of the principal Act is amended —

(a) by inserting, immediately after the word “Act” in subsection (1), the words “or any regulations made under this Act,”; and

(b) by deleting the words “shall be paid to the Council” in subsection (4) and substituting the words “must be paid into the Consolidated Fund”.

Amendment of section 61C

9. Section 61C of the principal Act is amended by inserting, immediately after the word “Act”, the words “or any regulations made under this Act,”.

Amendment of section 61D

10. Section 61D of the principal Act is amended by renumbering the section as subsection (1) of that section, and by inserting immediately thereafter the following subsection:

“(2) The Minister may, in any order made under subsection (1), make such saving or transitional provisions as may be necessary or expedient.”. 5

Miscellaneous amendment

11. The principal Act is amended by deleting the words “section 14A(3) to (8)” in the following provisions and substituting in each case the words “section 14A(3) to (7)”: 10

Section 42(1)(b)

Section 49A(1)(b).

Saving and transitional provisions

12.—(1) Despite section 3, section 14 of the principal Act as in force immediately before the date of commencement of section 3 continues to apply to a person who, before that date, has applied to be registered as a dentist with full registration in the Register of Dentists and whose application is pending, as if section 3 had not been enacted. 15
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(2) Despite section 4, section 14A of the principal Act as in force immediately before the date of commencement of section 4 continues to apply to a person who, before that date, has applied to be registered as a dentist with conditional registration in the Register of Dentists and whose application is pending, as if section 4 had not been enacted. 25

(3) For a period of 2 years after the date of commencement of any provision of this Act, the Minister may, by regulations, prescribe such additional provisions of a saving or transitional nature consequent on the enactment of that provision as the Minister may consider necessary or expedient. 30

EXPLANATORY STATEMENT

This Bill seeks to amend the Dental Registration Act (the Act) for the following main purposes:

- (a) to mandate that graduates who hold a foreign degree in dentistry pass a qualifying examination before they are granted conditional registration to practise as dentists in Singapore, so as to ensure that their competencies are aligned with the competencies of graduates holding a Singapore degree in dentistry;
- (b) to provide for payment of penalties and composition sums into the Consolidated Fund;
- (c) for better administration of the Act.

Clause 1 relates to the short title and commencement.

Clause 2 makes a consequential amendment to section 13(1)(a)(i)(A) arising from the new section 14(3) (inserted by clause 3).

Clause 3 repeals and re-enacts section 14 to make provision for applications for full registration under section 14A(6) and to enable the Singapore Dental Council (the Council) to also have regard to the report of every fully registered dentist mentioned in section 14A(4) (as amended by clause 4) under whose supervision the applicant has worked when considering an application for full registration under section 14A(6). The clause further makes drafting refinements in the new section 14(1), (2) and (4) (adopted from the existing section 14(1), (2) and (3) respectively) for clarity.

Clause 4 amends section 14A to impose an additional requirement on persons with foreign degrees in dentistry as a prerequisite to the grant of conditional registration under the new subsection (1)(b) and (c) of that section to practise as dentists.

The new section 14A(1)(b)(iii) makes it mandatory for a person who holds a foreign degree in dentistry from a university specified in the Schedule to the Act to pass a qualifying examination before the person may be registered as a dentist with conditional registration.

The new section 14A(1)(c)(ii) makes it mandatory for a person who holds a foreign degree in dentistry that is not from a university specified in the Schedule to sit for and pass a qualifying examination before the person may be registered as a dentist with conditional registration. However, that person is eligible to sit for a qualifying examination only if the Council has permitted him or her to sit for the qualifying examination. For this purpose, the clause introduces a new section 14A(2) to set out the circumstances in which the Council may grant such permission.

The clause also amends section 14A(4)(a) to provide for the supervision by one or more fully registered dentists approved by the Council and introduces a new subsection (4)(aa) to provide expressly that a direction by the Council under section 14A(3) may, in addition to the matters in subsection (4)(a) and (b), specify that the person's performance is subject to review by the fully registered dentist or dentists (as the case may be) mentioned in subsection (4)(a).

The clause deletes section 14A(7) because the registration of a person who applies under section 14A(6) is provided for under the new section 14(3) (inserted by clause 3). With the deletion of section 14A(7), subsection (8) of section 14A is renumbered as subsection (7).

The clause also makes technical amendments to section 14A for clarity and easier readability.

Clause 5 amends section 21A(5) to align with the language in the new section 14A(1)(b)(iii) (inserted by clause 4).

Clause 6 amends section 54 to provide for the payment of penalties collected or recovered under the Act or any regulations made under the Act into the Consolidated Fund instead of the funds of the Council.

Clause 7 repeals and re-enacts section 58 to provide for protection from personal liability for the members of the Council, members of the Dental Specialists Accreditation Board (the Accreditation Board), the chairman of the Complaints Panel, members of any Complaints Committee, Disciplinary Committee, Interim Orders Committee and Health Committee, members of any committee appointed by the Council or the Accreditation Board under the Act, employees of the Council and any other person acting under the direction of the Council.

Clause 8 amends section 61B to provide for the payment of composition sums into the Consolidated Fund, and to clarify that the offences that can be prescribed as compoundable offences include offences under any regulations made under the Act.

Clause 9 amends section 61C to clarify that an offence mentioned in that section includes an offence under any regulations made under the Act.

Clause 10 amends section 61D to enable saving and transitional provisions to be made when amending the Schedule to the Act.

Clause 11 makes a miscellaneous amendment to sections 42 and 49A which is consequential to the deletion of section 14A(7) by clause 4 and the renumbering of section 14A(8).

Clause 12 contains saving and transitional provisions.

EXPENDITURE OF PUBLIC MONEY

This Bill will not involve the Government in any extra financial expenditure.
