

The Dental Technicians Act

Repealed

by [Chapter D-4.1 of the *Saskatchewan Statutes, 1997*](#).
(effective December 1, 2000).

Formerly

[Chapter D-6 of *The Revised Statutes of Saskatchewan, 1978*](#)
(effective February 26, 1979) as amended by the [Statutes of
Saskatchewan, 1980-81, c.21](#); and [1989-90, c.54](#).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER D-6

An Act respecting Dental Technicians

Short title

- 1 This Act may be cited as *The Dental Technicians Act*.

Interpretation

- 2 In this Act:

- (a) **“board”** means Board of Governors of Dental Technicians;
- (b) **“dental technician”** means a person who 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 any 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.S. 1978, c.D-6, s.2.

Incorporation continued

- 3(1) The Dental Technicians Association of Saskatchewan is continued as a body corporate and politic.
- (2) The association shall consist of its present members and the persons who hereafter become members.

R.S.S. 1978, c.D-6, s.3.

Board of governors

- 4(1) The affairs and business of the association shall be managed by a board to be known as the Board of Governors of Dental Technicians, consisting of not less than five nor more than seven members, to be constituted in such manner as may be provided by bylaw.
- (2) Members of the board shall hold office for such term as may be fixed by bylaw.

R.S.S. 1978, c.D-6, s.4; 1989-90, c.54, s.4.

Bylaws

- 5 The board may make bylaws, not contrary to law or inconsistent with this Act, for all purposes relating to the affairs, business and property of the association, its management, government, aims, objects and interests, including:
- (a) providing for the manner in which members of the board shall be elected from time to time and fixing the number of members of the board and providing for meetings thereof;

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- (b) subject to section 6, providing for the admission of dental technicians to carry on business in Saskatchewan, including the training and apprenticeship of persons desiring to become members of the association, and for the registration of all persons admitted to membership, including the fees payable for registration not exceeding \$25 for each person registered;
- (c) subject to section 6, prescribing the qualifications of persons so to be admitted and the proof to be furnished as to education and good character;
- (d) 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;
- (e) prescribing the discipline and control of registered technicians, including the adoption and enforcement of any reasonable canons of ethics;
- (f) providing for the investigation of any complaint that a dental technician has been guilty of misconduct or has displayed such incompetence as to render it desirable in the public interest that his registration be cancelled or suspended;
- (g) 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;
- (h) defining "misconduct" for the purpose of this section and the bylaws;
- (i) providing for the payment of reasonable fees and disbursements to members of the board in respect of the discharge of the duties of the board; and
- (j) generally for the better carrying out of the provisions of this Act.

R.S.S. 1978, c.D-6, s.5; 1989-90, c.54, s.4.

Examinations

- 6(1)** All examinations shall be under the control of The University of Saskatchewan.
- (2) The University of Saskatchewan, in consultation with the board, may make rules concerning the examinations and the conduct thereof, including the age, moral character and academic standing of applicants for examination, and also as to examination fees.
- (3) The registrar of the university shall report the results of all examinations to the secretary of the association.

R.S.S. 1978, c.D-6, s.6; 1989-90, c.54, s.4.

Use of designation

- 7(1)** Every person registered under this Act shall have the right to use the designation "Registered Dental Technician" and may describe his business as a dental laboratory.

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(2) No person shall be 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.S. 1978, c.D-6, s.7.

Persons exempted from application of Act

8 Nothing in this Act or the bylaws 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 a general or special Act of the Legislature.

R.S.S. 1978, c.D-6, s.8; 1989-90, c.54, s.4.

Performance of work by others than dental technicians

9 Nothing in this Act prohibits:

- (a) a legally qualified dentist or dental surgeon within the meaning of *The Dental Profession Act*;
- (b) a legally qualified medical practitioner within the meaning of *The Medical Profession Act*;
- (c) a hospital dispensary, university or municipal clinic acting upon the prescription or order of a legally qualified dentist, dental surgeon or medical practitioner; 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.

R.S.S. 1978, c.D-6, s.9.

Corporations

10 Nothing in this Act prohibits 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.

R.S.S. 1978, c.D-6, s.10.

Dental Profession Act not affected

11 Nothing in this Act or the bylaws limits, alters or affects the application of any provision of *The Dental Profession Act* or of any bylaw or rule made thereunder.

R.S.S. 1978, c.D-6, s.11; 1989-90, c.54, s.4.

Offences and penalties

12 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 any designation, 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 liable on summary conviction to a fine of not less than \$150 nor more than \$600 for the first offence, and to a fine of not less than \$300 nor more than \$1,200 for each subsequent offence.

R.S.S. 1978, c.D-6, s.12.

c. D-6**DENTAL TECHNICIANS****Proof of registration**

13(1) 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 of the association, shall be 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 of the association, shall be *prima facie* evidence of his signature and appointment or election.

(2) The absence of the name of a person from such copy shall be *prima facie* evidence that that 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 of the entry of the name of that person on the register, purporting to be under the hand of the secretary of the association, shall be evidence that that person is registered under this Act.

R.S.S. 1978, c.D-6, s.13.

Bylaws to be filed in Department of Consumer and Commercial Affairs

14(1) The association shall file in the Department of Consumer and Commercial Affairs two copies, certified by the secretary of the association to be true copies, of:

- (a) all bylaws made under this Act;
- (b) all amendments made to those bylaws;

within thirty days after they are made.

(2) Where the association adopts a code of ethics governing its members, and subscription thereto or observance thereof is a condition of membership, the code of ethics shall for the purposes of this section and sections 15, 16, 17 and 18 be deemed to be a bylaw made under this Act.

(3) Where a bylaw is amended, two copies thereof shall be filed with the amendment.

R.S.S. 1978, c.D-6, s.14; 1980-81, c.21, s.21;
1989-90, c.54, s.4.

Effective date of bylaws and amendments

15 All bylaws and amendments thereto shall take effect upon the making thereof or on a date stated therein for the purpose.

R.S.S. 1978, c.D-6, s.15; 1989-90, c.54, s.4.

Effect of failure to file bylaw or amendment

16 Failure to file any bylaw or amendment as required by section 14 shall render the bylaw or amendment ineffective as from the expiration of the time allowed for filing it and it shall be deemed to have been revoked.

R.S.S. 1978, c.D-6, s.16; 1989-90, c.54, s.4.

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Review by Legislative Assembly

17(1) One copy of all bylaws and amendments thereto filed in the Department of Consumer and Commercial Affairs as required by section 14 shall be laid before the Legislative Assembly in accordance with *The Tabling of Documents Act*.

(2) Where any bylaws or any amendment thereto laid before the Legislative Assembly is found by the Assembly to be beyond the powers delegated by the Legislature or in any way prejudicial to the public interest, such bylaw or amendment shall thereupon cease to have any effect and be deemed to have been revoked.

R.S.S. 1978, c.D-6, s.17; 1980-81, c.21, s.21;
1989-90, c.54, s.4.

Record of revocation and notification to the association

18(1) Where it appears from any Votes and Proceedings of the Legislative Assembly that any bylaw or amendment thereto has ceased to have effect, the Clerk of the Assembly shall forthwith forward two copies of such Votes and Proceedings to the Deputy Minister of Consumer and Commercial Affairs and at the same time advise him that the copies are forwarded pursuant to this subsection.

(2) Upon receipt of such copies the Deputy Minister of Consumer and Commercial Affairs shall file one of the copies with the bylaw or amendment to which it relates and forthwith forward the other copy to the association and at the same time advise the association that the copy is forwarded pursuant to this subsection.

R.S.S. 1978, c.D-6, s.18; 1980-81, c.21, s.21;
1989-90, c.54, s.4.

Lists of members, etc., to be filed in Department of Consumer and Commercial Affairs

19 The association shall, before the first day of February in each year, file in the Department of Consumer and Commercial Affairs lists, certified by the secretary of the association to be true lists, showing:

- (a) the names of all dental technicians in good standing as of the thirty-first day of December in the preceding year, their addresses as shown by the records of the association and the respective dates of their admission to membership in the association;
- (b) the names of all persons whose names were struck off the register or who otherwise ceased to be in good standing during the preceding year;
- (c) the names of all persons who were reinstated as members during that year.

R.S.S. 1978, c.D-6, s.19; 1980-81, c.21, s.21.

Report to Minister of Health where application for admission refused

20 Where an application for reinstatement or for admission to membership in the association is made in compliance with this Act and the bylaws and is refused, the association shall within seven days thereafter forward by registered mail to the Minister of Health a report setting forth the circumstances and stating the reasons for the refusal.

R.S.S. 1978, c.D-6, s.20; 1989-90, c.54, s.4.

Discipline

21(1) Where the board orders that the name of a member be removed from the register or that a member be suspended from practising, the association shall within fourteen days after the date on which the order is made forward by registered mail to the Minister of Health a copy, certified by the secretary to be a true copy, of the complaint, any report upon the conduct of the member and the order of the board, and shall furnish the minister with such relative information as he may require.

(2) If the minister is of the opinion that the order is unjust or contrary to the public interest, he may:

- (a) request the board to reconsider the case and its findings thereon;
 - (b) if the board and the person whose conduct is under inquiry agree, appoint a board of arbitration consisting of one member nominated by the first mentioned board, one nominated by the person whose conduct is under inquiry and one appointed by the Lieutenant Governor in Council to review or rehear the case and render a decision thereon; or
 - (c) institute an appeal to a judge of the Court of Queen's Bench.
- (3) Nothing in this section shall prejudice any existing right of appeal.

R.S.S. 1978, c.D-6, s.21; 1989-90, c.54, s.4.

Entitlement to registration

22 Any person carrying on business as a dental technician on the first day of April, 1960, shall be entitled as of right to registration upon applying to the board for registration and paying the fee for registration prescribed by the bylaws.

R.S.S. 1978, c.D-6, s.22; 1989-90, c.54, s.4.