



# STAATSKOERANT

## VAN DIE REPUBLIEK VAN SUID-AFRIKA

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### REPUBLIC OF SOUTH AFRICA

# GOVERNMENT GAZETTE

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DEPARTEMENT VAN DIE EERSTE MINISTER

No. 585.

21 Maart 1979.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 19 van 1979: Wet op Tandtegnici, 1979.

DEPARTMENT OF THE PRIME MINISTER

No. 585.

21 March 1979.

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 19 of 1979: Dental Technicians Act, 1979.

Act No. 19, 1979

DENTAL TECHNICIANS ACT, 1979.

# ACT

To consolidate and amend the laws relating to the profession of dental technician; and to provide for matters incidental thereto.

*(Afrikaans text signed by the State President.)  
(Assented to 13 March 1979.)*

**BE IT ENACTED** by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

## Definitions.

### 1. In this Act, unless the context otherwise indicates—

- (i) "approved" means approved by the council under this Act; (iii) 5
- (ii) "approved institution" means a training institution approved by the council under section 4; (iv)
- (iii) "council" means the South African Dental Technicians Council referred to in section 2; (xiii) 10
- (iv) "dental laboratory" means any place where artificial dentures or other dental appliances are made, repaired, altered or worked upon, or where any apparatus for the manufacture, repair or alteration of or the working upon such dentures or appliances has been installed; (viii) 15
- (v) "dental laboratory assistant" means any person employed as such by a dentist or dental technician in terms of section 28; (xxii)
- (vi) "dental technician" means any person who is registered as a dental technician under section 18; (xx) 20
- (vii) "dental technician contractor" means a dental technician who, with due regard to the provisions of this Act, practises the profession of a dental technician on his own account, or who is a member of a partnership of dental technicians which practises that profession, or 25 who is a director of a company which carries on any business in which is performed any act specially pertaining to the profession of a dental technician; (xxi)
- (viii) "dentist" means a person registered as such under the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No. 56 of 1974); (xix) 30
- (ix) "inquiry" means an inquiry in terms of section 35; (x)
- (x) "inspector" means an inspector appointed under section 31; (vi)
- (xi) "Minister" means the Minister of Health; (ix) 35
- (xii) "prescribed" means prescribed by regulation; (xxiii)
- (xiii) "qualification" means any degree, diploma or certificate awarded after examination of a person's proficiency in a particular subject; (vii)
- (xiv) "register", as a noun, means a register kept in terms of 40 this Act, and when used in relation to any category or any member of any category of persons in respect of

# WET

**Tot samevatting en wysiging van die wetsbepalings met betrekking tot die beroep van tandtegnikus; en om vir bykomstige aangeleenthede voorsiening te maak.**

*(Afrikaanse teks deur die Staatspresident geteken.)  
(Goedgekeur op 13 Maart 1979.)*

**DAAR WORD BEPAAL** deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. In hierdie Wet, tensy uit die samehang anders blyk, Woordomskrywings.  
5 beteken—
  - (i) „aanvullende kursus” gespesialiseerde of gevorderde opleiding in ’n aspek van die werk van ’n tandtegnikus; (xx)
  - (ii) „gelyste stof” ’n gelyste stof soos in artikel 1 van die  
10 Wet op die Beheer van Medisyne en Verwante Stowwe, 1965 (Wet No. 101 van 1965), omskryf; (xviii)
  - (iii) „goedgekeur” deur die raad kragtens hierdie Wet goedgekeur; (i)
  - (iv) „goedgekeurde inrigting” ’n opleidingsinrigting deur  
15 die raad ingevolge artikel 4 goedgekeur; (ii)
  - (v) „hierdie Wet” ook die regulasies; (xxi)
  - (vi) „inspekteur” ’n inspekteur kragtens artikel 31 aangestel;  
(x)
  - (vii) „kwalifikasie” ’n graad, diploma of sertifikaat toegeken  
20 na eksaminering van iemand se bedrewenheid in ’n bepaalde vak; (xiii)
  - (viii) „laboratorium vir tandkundige werk” enige plek waar kunstande of ander tandtoestelle vervaardig, herstel, verander of aan gewerk word, of waar enige apparaat vir die vervaardiging, herstel of verandering van of werk  
25 aan sodanige tande of toestelle geïnstalleer is; (iv)
  - (ix) „Minister” die Minister van Gesondheid; (xi)
  - (x) „ondersoek” ’n ondersoek ingevolge artikel 35; (ix)
  - (xi) „ongemonteerde kunstande” kunstande wat nie vir die  
30 gebruik van ’n bepaalde persoon in ’n gebit of tandtoestel gevoeg is nie, of kunstande wat aldus ingevoeg is, maar wat daarna weer uit sodanige gebit of tandtoestel verwyder is; (xxiii)
  - (xii) „opleidingsinrigting” ’n inrigting waar persone vir die  
35 beroep van tandtegnikus onderrig en opgelei word; (xxii)
  - (xiii) „raad” die Suid-Afrikaanse Raad vir Tandtegnici in artikel 2 vermeld; (iii)
  - (xiv) „register” ’n register gehou ooreenkomstig hierdie Wet,  
40 en indien gebruik in verband met ’n kategorie of ’n lid van ’n kategorie van persone ten opsigte van wie ’n register gehou word, die register wat ten opsigte van daardie kategorie gehou word; en beteken „registreer” in ’n register ingevolge hierdie Wet inskryf, en het die

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- whom a register is kept, the register kept in respect of that category; and as a verb, means to enter in a register in terms of this Act, and the words "registered", "registrable", "registration" and all other words derived from the word "register" shall have a corresponding meaning; (xiv) 5
- (xv) "registrar" means the registrar appointed under section 13; (xv)
- (xvi) "regulation" means a regulation made in terms of section 50 of this Act; (xvi) 10
- (xvii) "Secretary" means the Secretary for Health; (xvii)
- (xviii) "scheduled substance" means a scheduled substance as defined in section 1 of the Medicines and Related Substances Control Act, 1965 (Act No. 101 of 1965); (ii) 15
- (xix) "student dental technician" means any person who is studying dental technology at an approved institution or is undergoing practical training in an approved dental laboratory and who has been registered under section 19; (xviii) 20
- (xx) "supplementary course" means specialized or advanced training in any aspect of the work of a dental technician; (i)
- (xxi) "this Act" includes the regulations; (v)
- (xxii) "training institution" means an institution where persons are educated and trained for the profession of a dental technician; (xii) 25
- (xxiii) "unmounted artificial teeth" means artificial teeth which have not been fitted in any denture or dental appliance for the use of a particular person, or artificial teeth which were so fitted but have thereafter again been removed from any such denture or dental appliance. (xi) 30

## CHAPTER 1

THE SOUTH AFRICAN DENTAL TECHNICIANS COUNCIL:  
OBJECTS, FUNCTIONS AND POWERS

35

The South African  
Dental Technicians  
Council.

2. (1) The Dental Mechanicians Board established by section 2 of the Dental Mechanicians Act, 1945 (Act No. 30 of 1945), shall, notwithstanding the repeal of that Act by this Act, continue to exist and to be a juristic person, but shall as from the commencement of this Act be called "The South African Dental Technicians Council". 40

(2) The head office of the council shall be situated at Pretoria, but may, with the consent of the Minister, be moved to any other place in the Republic.

Objects of council.

3. The objects of the council shall be— 45
- (a) to assist in the promotion of dentistry in the Republic;
- (b) to control all matters relating to the education and training of dental technicians and the exercising of the practices in the supplying, making, altering or repairing of artificial dentures or other dental appliances or any other work pertaining to such dentures or appliances; 50
- (c) to promote liaison of the education and training, and the manner of the exercise of the practices, referred to in paragraph (b), both in the Republic and elsewhere, and to promote the standards of such education and training and the manner of the exercise of such practices in the Republic; 55
- (d) to promote good relations between dentists and dental technicians and other supplementary dental health services personnel; 60
- (e) to advise the Minister on any matter falling within the scope of this Act; and



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- woorde „geregistreer”, „registreerbaar”, „registrasie” en alle ander woorde wat van die woord „register” afgelei is, ’n ooreenstemmende betekenis; (xiv)
- 5 (xv) „registrateur” die registrateur aangestel kragtens artikel 13; (xv)
- (xvi) „regulasie” ’n regulasie ingevolge artikel 50 van hierdie Wet uitgevaardig; (xvi)
- (xvii) „Sekretaris” die Sekretaris van Gesondheid; (xvii)
- 10 (xviii) „student-tandtegnikus” ’n persoon wat tandtegnologie aan ’n goedgekeurde inrigting bestudeer of praktiese opleiding in ’n goedgekeurde laboratorium vir tandkundige werk ondergaan en wat kragtens artikel 19 geregistreer is; (xix)
- 15 (xix) „tandarts” iemand wat ingevolge die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensbeproepe, 1974 (Wet No. 56 van 1974), as sodanig geregistreer is; (viii)
- (xx) „tandtegnikus” iemand wat kragtens artikel 18 as tandtegnikus geregistreer is; (vi)
- 20 (xxi) „tandtegnikus-kontrakteur” ’n tandtegnikus wat met behoorlike inagneming van die bepalinge van hierdie Wet die beroep van tandtegnikus vir eie rekening beoefen of wat ’n lid is van ’n vennootskap van tandtegnici wat daardie beroep beoefen of wat ’n
- 25 direkteur is van ’n maatskappy wat ’n besigheid dryf waarby ’n handeling verrig word wat spesiaal tot die beroep van ’n tandtegnikus behoort; (vii)
- (xxii) „tandkundige laboratorium-assistent” enige persoon as sodanig in diens by ’n tandarts of tandtegnikus kragtens artikel 28; (v)
- 30 (xxiii) „voorgeskrif” of „voorgeskrewe” by regulasie voorgeskryf. (xii)

## HOOFSTUK 1

35 DIE SUID-AFRIKAANSE RAAD VIR TANDTEGNICI:  
OOGMERKE, WERKSAAMHEDE EN BEVOEGDHEDE

2. (1) Die Raad vir Tandwerktuigkundiges ingestel by artikel 2 van die Wet op Tandwerktuigkundiges, 1945 (Wet No. 30 van 1945), bly, ondanks die herroeping van daardie Wet deur hierdie Wet, voortbestaan en ’n regspersoon, maar heet vanaf die 40 inwerkingtreding van hierdie Wet „Die Suid-Afrikaanse Raad vir Tandtegnici”.

(2) Die hoofkantoor van die raad is in Pretoria geleë, maar kan met die toestemming van die Minister na enige ander plek in die Republiek verskuif word.

45 3. Die oogmerke van die raad is—

Oogmerke van raad.

- (a) om behulpzaam te wees met die bevordering van tandheelkunde in die Republiek;
- (b) om alle aangeleenthede betreffende die onderrig en opleiding van tandtegnici, en die uitoefening van die 50 praktyke in die voorsiening, vervaardiging, verandering of herstel van kunsgebit of ander tandheelkundige toestelle of ander werk wat betrekking het op sodanige gebit of toestel, te beher;
- (c) om skakeling van die onderrig en opleiding en die wyse van uitoefening van die praktyke bedoel in paragraaf (b), in die Republiek sowel as elders, en om die 55 standarde van sodanige onderrig en opleiding en die wyse van uitoefening van sodanige praktyke in die Republiek, te bevorder;
- (d) om goeie verhoudinge tussen tandartse en tandtegnici en personeel van ander aanvullende tandheelkundige 60 gesondheidsdienste te bevorder;
- (e) om die Minister van advies te dien aangaande enige aangeleentheid wat binne die bestek van hierdie Wet 65 val; en

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- (f) to communicate to the Minister information on matters of public importance acquired by the council in the course of the performance of its functions under this Act.

## General powers of the council.

4. The council may—
- (a) cause to be printed and published copies of the registers or of supplementary lists showing all alterations to the registers;
  - (b) make extracts from the registers upon payment of the prescribed fees;
  - (c) in accordance with the provisions of this Act, remove any name from a register or, upon payment of the prescribed fee, restore such name thereto;
  - (d) appoint examiners and moderators, conduct examinations and award certificates, and charge the prescribed fees in respect of such examinations and the issue of such certificates;
  - (e) approve training institutions in accordance with the prescribed conditions, inspect such institutions, and withdraw or suspend the approval of any such institution if the education or training provided at such institution is, in the opinion of the council, not satisfactory, or if any condition imposed in respect of the approval of such institution is not complied with: Provided that the council shall not without the consent of the Minister refuse to approve any such institution, or withdraw or suspend the approval thereof;
  - (f) charge the prescribed fees in respect of any inspection it may deem necessary to enable it to consider any application for the approval of a training institution or the registration of a dental laboratory or any variation of a condition imposed in respect of an approved institution or a dental laboratory;
  - (g) acquire, hire or dispose of property, borrow money on the security of the assets of the council, accept any donation or accept and administer any trust;
  - (h) consider any matter affecting dental technology, and make representations or take such action in connection therewith as the council may deem necessary;
  - (i) conduct or arrange courses for the supplementary training of dental technicians and for a master dental technician's certificate and render financial assistance in respect of such courses;
  - (j) perform such other functions as may be prescribed, and may generally do all such things as it may deem necessary or expedient for the purpose of achieving the objects of this Act.

## Constitution of council.

5. (1) From the date referred to in section 51 (4) the council shall consist of the following members, namely—
- (a) the Chief of the Dental Services Section of the Department of Health;
  - (b) three persons appointed by the Minister, of whom—
    - (i) one shall be a dentist attached to a university having a dental faculty;
    - (ii) one shall be a dental technician attached to an institution at which dental technicians are educated and trained; and
    - (iii) one shall be a person who is not registered in terms of this Act or the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No. 60 of 1974);
  - (c) two dental technician contractors nominated and elected by dental technician contractors in the prescribed manner;
  - (d) two dental technicians who practise the profession of dental technician as employees and who are nominated

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- (f) om inligting aan die Minister oor te dra aangaande aangeleenthede van openbare belang wat deur die raad in die loop van die verrigting van sy werksaamhede kragtens hierdie Wet ingewin word.

## 5 4. Die raad kan—

Algemene bevoegdhede van raad.

- (a) afskrifte van die registers, of van aanvullende lysste wat alle veranderinge aan die registers aantoon, laat druk en uitgee;
- (b) uittreksels uit die registers teen betaling van die voorgeskrewe gelde maak;
- 10 (c) ooreenkomstig die bepalinge van hierdie Wet, 'n naam van 'n register verwyder, of so 'n naam by betaling van die voorgeskrewe gelde daarop terugplaas;
- (d) eksaminatore en moderatore aanstel, eksamens afneem en sertifikate toeken, en die voorgeskrewe gelde ten opsigte van sodanige eksamens en die uitreiking van sodanige sertifikate vra;
- 15 (e) opleidingsinrigtings ooreenkomstig die voorgeskrewe voorwaardes goedkeur, sodanige inrigtings inspekteer, en die goedkeuring van so 'n inrigting intrek of opskort indien die onderrig of opleiding aan sodanige inrigting verskaf, na die mening van die raad nie bevredigend is nie, of indien 'n voorwaarde wat ten opsigte van die goedkeuring van sodanige inrigting opgelê is, nie nagekom word nie: Met dien verstande dat die raad nie sonder die toestemming van die Minister weier om so 'n inrigting goed te keur of die goedkeuring daarvan intrek of opskort nie;
- 20 (f) die voorgeskrewe gelde vra ten opsigte van 'n inspeksie wat die raad nodig ag om hom in staat te stel om 'n aansoek om goedkeuring van 'n opleidingsinrigting, of die registrasie van 'n laboratorium vir tandkundige werk, of 'n wysiging van 'n voorwaarde opgelê ten opsigte van 'n goedgekeurde opleidingsinrigting of laboratorium vir tandkundige werk, te oorweeg;
- 25 (g) eiendom verkry, huur of daarvoor beskik, geld op sekuriteit van die bates van die raad leen, 'n skenking aanvaar of 'n trust aanvaar en administreer;
- 30 (h) enige aangeleentheid oorweeg wat tandtegnologie raak, en in verband daarmee die verhoë rig of die stappe doen wat die raad nodig ag;
- (i) kursusse vir die aanvullende onderrig van tandtegnici en vir 'n meester-tandtegnikus-bedreweheidsertifikaat hou of reël en finansiële bystand ten opsigte van
- 35 sodanige kursusse verleen;
- 40 (j) die ander werksaamhede verrig wat voorgeskryf word, en kan oor die algemeen alles doen wat hy nodig of dienstig ag om die oogmerke van hierdie Wet te bereik.
- 45

50 5. (1) Vanaf die datum vermeld in artikel 51 (4) bestaan die raad uit die volgende lede, naamlik— Samestelling van raad.

- (a) die Hoof van die Afdeling Tandheelkundige Dienste van die Departement van Gesondheid;
- (b) drie persone deur die Minister aangestel, van wie—
- 55 (i) een 'n tandarts verbonde aan 'n universiteit wat 'n tandheelkundige fakulteit het, moet wees;
- (ii) een 'n tandtegnikus verbonde aan 'n inrigting waar tandtegnici onderrig en opgelei word, moet wees; en
- 60 (iii) een 'n persoon moet wees wat nie kragtens hierdie Wet of die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet No. 56 van 1974), geregistreer is nie;
- (c) twee tandtegnikus-kontrakteurs wat deur tandtegnikus-kontrakteurs op die voorgeskrewe wyse benoem en verkies word;
- 65 (d) twee tandtegnici wat die beroep van tandtegnikus as werknemers beoefen en wat deur tandtegnici wat daardie

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and elected in the prescribed manner by dental technicians thus practising that profession; and

- (e) three dentists nominated and elected by dentists in the prescribed manner.

(2) Subject to the provisions of section 6 a member of the council shall hold office for a period of five years, but shall be eligible for re-appointment or re-election, as the case may be.

(3) If the persons referred to in paragraph (c), (d) or (e) of subsection (1), as the case may be, fail to elect a member under those paragraphs, the Minister shall designate a person as a member, and a person so designated shall be deemed to have been elected in terms of the paragraph in question.

(4) The registrar shall make known by notice in the *Gazette* the appointment or election of any member of the council, the date of such appointment or election and the period for which the member has been appointed or elected.

Disqualification,  
vacation of office  
and filling of  
vacancies.

6. (1) No person shall be elected or appointed as a member of the council—

- (a) who is an unrehabilitated insolvent;  
(b) who in terms of this Act or the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No. 56 of 1974), is disqualified from practising his profession;  
(c) who is not a South African citizen permanently resident in the Republic.

(2) A member of the council shall vacate his office if—

- (a) he becomes subject to any disqualification referred to in subsection (1);  
(b) he ceases to hold any qualification necessary for his appointment;  
(c) he has been absent from more than two consecutive ordinary meetings of the council without the council's leave;  
(d) (i) being an elected member, he tenders his resignation in writing to the registrar; or  
(ii) being a member appointed or designated by the Minister, he tenders his resignation in writing to the Minister and the Minister accepts his resignation;  
(e) he becomes a patient or a President's patient as defined in section 1 of the Mental Health Act, 1973 (Act No. 18 of 1973);  
(f) he is convicted of an offence, whether in the Republic or elsewhere, in respect whereof he is sentenced to imprisonment without the option of a fine;  
(g) the State President in the public interest terminates his membership.

(3) Any vacancy on the council arising from a circumstance referred to in subsection (2) and every vacancy caused by the death of a member, shall be filled by appointment or election, as the case may be, by the person or body by whom and in the manner in which the vacating member was required to be appointed or elected, and every member so appointed or elected shall hold office for the unexpired portion of the period of office of the vacating member.

Office-bearers.

7. (1) At the first meeting of every newly constituted council the members of the council shall elect a president, a vice-president and a treasurer from among their own number.

(2) The president, vice-president and treasurer shall hold office during the terms of office of the members of the council, unless the president, vice-president or treasurer sooner resigns or ceases to be a member of the council.

(3) The vice-president may, if the president is absent or is for any reason unable to act as president, perform the functions and exercise the powers of the president.

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beroep aldus beoefen, op die voorgeskrewe wyse benoem en verkies word; en

(e) drie tandartse wat deur tandartse op die voorgeskrewe wyse benoem en verkies word.

5 (2) Behoudens die bepalings van artikel 6 beklee 'n lid van die raad sy amp vir 'n tydperk van vyf jaar, maar kan hy weer aangestel of verkies word, na gelang van die geval.

(3) Indien die persone vermeld in paragraaf (c), (d) of (e) van subartikel (1), na gelang van die geval, versuim om 'n lid kragtens 10 daardie paragrawe te verkies, wys die Minister iemand as lid aan, en iemand aldus aangewys, word geag ingevolge die betrokke paragraaf verkies te wees.

(4) Die registrateur moet die aanstelling of verkiesing van 'n lid 15 van die raad, die datum van die aanstelling of verkiesing en die tydperk waarvoor die lid aangestel of verkies is, by kennisgewing in die *Staatskoerant* bekend maak.

6. (1) Niemand word as lid van die raad verkies of aangestel nie— Onbevoegdheid, ontruiming van amp en vul van vakatures.

(a) wat 'n ongerehabiliteerde insolvent is;

20 (b) wat ingevolge hierdie Wet of die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet No. 56 van 1974), onbevoeg is om sy beroep te beoefen;

25 (c) wat nie 'n Suid-Afrikaanse burger is wat permanent in die Republiek woonagtig is nie.

(2) 'n Lid van die raad ontruim sy amp indien—

(a) hy aan 'n in subartikel (1) bedoelde onbevoegdheid onderhewig word;

30 (b) hy ophou om 'n bevoegdheid te besit wat vir sy aanstelling nodig is;

(c) hy sonder verlof van die raad van meer as twee agtereenvolgende gewone vergaderings van die raad afwesig is;

35 (d) hy—  
(i) as hy 'n verkose lid is, skriftelik sy bedanking by die registrateur indien; of

(ii) as hy deur die Minister as lid aangestel of aangewys is, skriftelik sy bedanking by die Minister indien en die Minister sy bedanking aanvaar;

40 (e) hy 'n pasiënt of 'n Presidentspasiënt word soos omskryf in artikel 1 van die Wet op Geestesgesondheid, 1973 (Wet No. 18 van 1973);

(f) hy aan 'n misdryf skuldig bevind word, hetsy in die Republiek of elders, ten opsigte waarvan hy gevonnissen word tot gevangenisstraf sonder die keuse van 'n boete;

45 (g) die Staatspresident sy lidmaatskap in die openbare belang beëindig.

(3) 'n Vakature in die raad wat ontstaan as gevolg van 'n omstandigheid in subartikel (2) bedoel en elke vakature wat 50 veroorsaak word deur die dood van 'n lid, word gevul by wyse van aanstelling of verkiesing, na gelang van die geval, deur die persoon of liggaam deur wie en op die wyse waarop die lid wie se amp vakant geword het, aangestel of verkies moes word, en elke lid wat aldus aangestel of verkies word, beklee sy amp vir die 55 onverstreke gedeelte van die ampstermyn van die lid wie se amp vakant geword het.

7. (1) Die lede van elke nuut saamgestelde raad moet op die eerste vergadering van daardie raad 'n president, 'n vise-president en 'n penningmeester uit hul midde kies. Ampsdraers.

60 (2) Die president, vise-president en penningmeester beklee hul ampte vir die duur van die ampstermyn van die lede van die raad, tensy die president, vise-president of penningmeester eerder bedank of ophou om 'n lid van die raad te wees.

(3) Die vise-president kan, indien die president afwesig is of om 65 die een of ander rede nie as president kan optree nie, die werksaamhede en die bevoegdhede van die president verrig en uitoefen.



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(4) If both the president and the vice-president are absent from any meeting, the members present shall elect one of their number to preside at that meeting, and the person so presiding may at such meeting during such absence perform the functions and exercise the powers of the president.

(5) If both the president and the vice-president have been granted leave of absence, the members of the council shall elect one of their number, or, if the council is not in session, the executive committee shall designate a member of the council, to act as president during such absence.

(6) If the office of president, vice-president or treasurer becomes vacant, the members of the council shall at the first meeting after such vacancy has occurred, elect from among their number a new president, vice-president or treasurer, as the case may be, and the member so elected shall hold office for the unexpired portion of the period of office of his predecessor.

(7) The president, vice-president or treasurer may vacate his office as president, vice-president or treasurer without terminating his membership of the council.

Meetings of council.

8. (1) The council shall meet at the times and places determined by the council, but shall meet at least twice in every year.

(2) (a) The president may at any time convene a special meeting of the council, to be held on such date and at such place as he may determine, and he shall, upon a written request by the Minister or a written request signed by at least six members of the board, convene a special meeting, to be held within thirty days after the date of receipt of the request, on such date and at such place as he may determine.

(b) Such written request shall state clearly the purpose for which the meeting is to be convened.

Quorum and procedure at meetings.

9. (1) A majority of the members shall constitute a quorum at any meeting of the council.

(2) (a) A decision of the majority of the members of the council present at any meeting shall subject to the provisions of paragraph (b) constitute a decision of the council.

(b) In the event of an equality of votes the member presiding at the meeting in question shall, in addition to his deliberative vote, also have a casting vote.

(3) No decision taken by the council or act performed under the authority of the council shall be invalid by reason only of a casual vacancy on the council or of the fact that a person who was not entitled to sit as a member of the council sat as a member when the decision was taken or the act was authorized, if the decision was taken or the act was authorized by the requisite majority of the members of the council who were present at the time and entitled to sit as members.

Executive committee of the council.

10. (1) There shall be an executive committee of the council consisting of the president, the vice-president, the treasurer and such other members of the council as the council may designate, of whom at least one shall be a dentist and one shall be a dental technician.

(2) The executive committee may, subject to the directions of the council, during periods between meetings of the council exercise all the powers, other than a power referred to in section 36 (6), and perform all the functions of the council, but shall not have the power, except in so far as the council otherwise directs, to set aside or amend any decision of the council, and any act performed or decision taken by the executive committee shall be of force and effect unless it is set aside or amended by the council at its next ensuing meeting.

Other committees of council.

11. (1) The council shall—

(a) establish disciplinary committees, each consisting of such number of persons, appointed by the council, as the council may determine but which shall include at least two members of the council, one of whom shall be the



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(4) Indien die president sowel as die vise-president van 'n vergadering afwesig is, kies die aanwesige lede iemand uit hul midde om op daardie vergadering voor te sit, en die persoon wat aldus voorsit, kan op daardie vergadering gedurende bedoelde afwesigheid die werksaamhede en bevoegdhede van die president verrig en uitoefen.

(5) Indien aan die president sowel as die vise-president verlof verleen is om afwesig te wees, kies die lede van die raad iemand uit hul midde of, indien die raad nie in sitting is nie, wys die uitvoerende komitee 'n lid van die raad aan om gedurende bedoelde afwesigheid as president waar te neem.

(6) Indien die amp van president, vise-president of penningmeester vakant word, kies die lede van die raad op die eerste vergadering nadat die vakature ontstaan het, uit hul midde 'n nuwe president, vise-president of penningmeester, na gelang van die geval, en die aldus verkose lid beklee sy amp vir die onverstreke gedeelte van die ampstermyn van sy voorganger.

(7) Die president, vise-president of penningmeester kan sy amp as president, vise-president of penningmeester ontruim sonder om sy lidmaatskap van die raad te beëindig.

8. (1) Die raad vergader op die tye en plekke deur hom bepaal, maar moet minstens twee keer in elke jaar vergader. Vergaderings van raad.

(2) (a) Die president kan te eniger tyd 'n spesiale vergadering van die raad belê, wat gehou moet word op die datum en plek wat hy bepaal, en hy moet op skriftelike versoek van die Minister of 'n skriftelike versoek wat deur minstens ses lede van die raad onderteken is, 'n spesiale vergadering belê, wat binne dertig dae na die datum van ontvangs van die versoek gehou moet word op die datum en plek wat hy bepaal.

(b) Bedoelde skriftelike versoek moet die doel waarvoor die vergadering belê word, duidelik vermeld.

9. (1) 'n Meerderheid van die lede maak 'n kworum op 'n vergadering van die raad uit. Kworum en prosedure by vergaderings.

(2) (a) 'n Besluit van die meerderheid van die lede van die raad wat op 'n vergadering aanwesig is, maak behoudens die bepalinge van paragraaf (b) 'n besluit van die raad uit.

(b) In die geval van 'n staking van stemme het die lid wat op die betrokke vergadering voorsit, benewens sy beraadslagende stem ook 'n beslissende stem.

(3) Geen besluit deur die raad geneem of handeling op gesag van die raad verrig, is ongeldig bloot vanweë 'n toevallige vakature in die raad of omdat iemand wat nie geregtig was om as 'n lid van die raad sitting te neem, as 'n lid sitting geneem het toe die besluit geneem of die handeling gemagtig is nie, indien die besluit geneem of die handeling gemagtig is deur die vereiste meerderheid van die lede van die raad wat toe aanwesig was en geregtig was om as lede sitting te neem.

10. (1) Daar is 'n uitvoerende komitee van die raad wat bestaan uit die president, die vise-president, die penningmeester, en die ander lede van die raad wat die raad aanwys, van wie minstens een 'n tandarts en een 'n tandtegnikus moet wees. Uitvoerende komitee van raad.

(2) Die uitvoerende komitee kan, onderworpe aan die voorskrifte van die raad, gedurende tydperke tussen vergaderings van die raad al die bevoegdhede van die raad uitoefen, behalwe 'n in artikel 36 (6) bedoelde bevoegdheid, en al sy werksaamhede verrig, maar is nie, behalwe vir sover die raad anders gelas, bevoeg om 'n besluit van die raad tersyde te stel of te wysig nie, en enige handeling verrig of besluit geneem deur die uitvoerende komitee is van krag tensy dit deur die raad by sy eersvolgende vergadering tersyde gestel of gewysig word.

11. (1) Die raad moet—

(a) tugkomitees instel, waarvan elkeen bestaan uit die aantal persone, deur die raad aangestel, wat die raad bepaal, maar wat ten minste twee lede van die raad, wat as voorsitter en vise-voorsitter van die komitee dien, moet Ander komitees van raad.

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chairman and the other the vice-chairman of such committee, to investigate and report to the council on any complaint, charge or allegation referred to in section 35 (1);

(b) establish an education committee consisting of such number of persons, appointed by the council, as the council may determine but which shall include at least one member of the council, who shall be the chairman of such committee, and at least one representative of each institution where dental technicians are trained; 10

(c) establish a service conditions committee for the purpose of investigating and determining conditions of employment of dental technicians (except dental technicians who are in the employment of the State or a provincial administration), consisting of such number of persons, appointed by the council, as the council may determine but which shall include the president of the council, who shall be the chairman of such committee; 15

(d) establish a tariff committee for the purpose of investigating and determining the tariff of fees payable by a dentist to a dental technician contractor for work done as a dental technician, which shall consist of such number of persons appointed by the council as the council may determine but which shall include the president of the council, who shall be the chairman of such committee. 25

(2) A committee established in terms of subsection (1) shall, subject to the provisions of subsection (5), exercise such of the council's powers and perform such of the council's functions as the council may from time to time confer upon or assign to that committee. 30

(3) The council may from time to time establish such other committees as it may deem necessary, each consisting of such number of persons, appointed by the council, as the council may determine, but which shall include at least two members of the council, who shall be the chairman and vice-chairman of such committee, to investigate and report to the council on any matter falling within the scope of the council's functions. 35

(4) (a) Subject to the provisions of subsection (5) the council may delegate to any committee established in terms of subsection (3) such of its powers, in addition to the powers conferred upon such committee in terms of subsection (3), as the council may from time to time determine.

(b) The council shall not be divested of any power so delegated, and may amend or withdraw any decision of 45 such committee.

(5) The council shall not delegate to a committee any power referred to in section 36 (6), and no penalty imposed by any committee established in terms of subsection (1) (a), other than a caution or a reprimand or a reprimand and a caution, shall be of 50 force and effect until confirmed by the council: Provided that an order made by any such committee under section 43 (2) shall, if the committee so directs in the public interest, come into operation forthwith, but shall lapse after the expiration of a period of six months unless confirmed within that period by the council. 55

Determination of conditions of employment and tariff of fees.

12. (1) The council may, notwithstanding anything to the contrary in any law contained, conduct an inquiry into and determine—

(a) the conditions of employment of dental technicians who are employees, except dental technicians who are in the employment of the State or a provincial administration; and 60

(b) the tariff of fees payable to a dental technician contractor by a dentist for work done as a dental technician. 65

(2) The Representative Association of Medical Schemes established by section 23A of the Medical Schemes Act, 1967 (Act No. 72 of 1967), in the case of a determination of the tariff of fees referred to in subsection (1) (b), and the Dental Association of South Africa and any other association or body of

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- insluit, om ondersoek in te stel na en aan die raad verslag te doen oor enige klagte, beskuldiging of bewering in artikel 35 (1) bedoel;
- 5 (b) 'n onderwyskomitee instel wat bestaan uit die aantal persone deur die raad aangestel, wat die raad bepaal, maar wat minstens een lid van die raad, wat as voorsitter van die komitee dien, en minstens een verteenwoordiger van elke inrigting waar tandtegnici opgelei word, moet insluit;
- 10 (c) 'n komitee insake diensvoorwaardes instel ten einde die diensvoorwaardes van tandtegnici (uitgesonderd tandtegnici in die diens van die Staat of 'n provinsiale administrasie) te ondersoek en vas te stel, wat bestaan uit die aantal persone deur die raad aangestel, wat die raad bepaal, maar wat die president van die raad, wat die voorsitter van sodanige komitee moet wees, insluit;
- 15 (d) 'n tariewekomitee instel ten einde tariewe van gelde betaalbaar deur 'n tandarts aan 'n tandtegnikus-kontrakteur vir werk as 'n tandtegnikus gedoen, te ondersoek en te bepaal, wat bestaan uit die aantal persone deur die raad aangestel, wat die raad bepaal, maar wat die president van die raad, wat die voorsitter van sodanige komitee moet wees, insluit.
- (2) 'n Komitee ingevolge subartikel (1) ingestel, moet, 25 behoudens die bepalings van subartikel (5), dié bevoegdhede van die raad uitoefen en dié werksaamhede van die raad verrig wat die raad van tyd tot tyd aan daardie komitee verleen of opdra.
- (3) Die raad kan van tyd tot tyd die ander komitees instel wat hy nodig ag, waarvan elkeen bestaan uit die aantal persone, deur 30 die raad aangestel, wat die raad bepaal, maar wat minstens twee lede van die raad, wat die voorsitter en vise-voorsitter van die komitee moet wees, moet insluit, om ondersoek in te stel na en aan die raad verslag te doen oor enige aangeleentheid wat binne die bestek van die raad se werksaamhede val.
- 35 (4) (a) Behoudens die bepalings van subartikel (5) kan die raad aan 'n ingevolge subartikel (3) ingestelde komitee, benewens die bevoegdhede ingevolge subartikel (3) aan sodanige komitee verleen, sodanige van sy bevoegdhede delegeer as wat die raad van tyd tot tyd bepaal.
- 40 (b) Die raad word nie onthef van 'n bevoegdheid wat aldus gedelegeer is nie, en kan 'n beslissing van so 'n komitee intrek of wysig.
- (5) Die raad delegeer nie aan 'n komitee 'n in artikel 36 (6) bedoelde bevoegdheid nie en geen straf opgelê deur 'n komitee 45 wat ingevolge subartikel (1) (a) ingestel is, uitgesonderd 'n waarskuwing of 'n berisping of 'n berisping en 'n waarskuwing, is van krag voordat dit deur die raad bekrachtig is nie: Met dien verstande dat 'n bevel deur so 'n komitee kragtens artikel 43 (2) gegee, onmiddellik in werking tree indien die komitee in die 50 openbare belang aldus gelas, maar na die verstryking van 'n tydperk van ses maande verval tensy dit binne daardie tydperk deur die raad bekrachtig word.

12. (1) Die raad kan ondanks andersluidende wetsbepalings 60 ondersoek instel na—
- 55 (a) die diensvoorwaardes van tandtegnici wat werknemers is, uitgesonderd tandtegnici in diens van die Staat of 'n provinsiale administrasie; en
- (b) die geldetarief betaalbaar aan 'n tandtegnikus-kontrakteur deur 'n tandarts vir werk gedoen as 'n tandtegnikus,
- 60 en kan sodanige voorwaardes en tarief bepaal.
- (2) Die Verteenwoordigende Vereniging van Mediese Skemas ingestel by artikel 23A van die Wet op Mediese Skemas, 1967 (Wet No. 72 van 1967), in die geval van 'n bepaling van die 65 geldetarief in subartikel (1) (b) vermeld, en die Tandheelkundige Vereniging van Suid-Afrika en enige ander vereniging of liggaam

Bepaling van  
diensvoorwaardes  
en geldetarief.

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persons which, in the opinion of the council, is representative of the majority of dental technician contractors or dental technicians who are employees, may make representations to the council that the council conduct an inquiry for the purposes of making a determination of the conditions of employment or tariff of fees referred to in subsection (1), or for the purposes of effecting any amendment in terms of subsection (5), and any such association or body may, with the approval of the council, make representations, oral or written, to the council with regard to any such determination or amendment.

(3) The provisions of section 36 (4) shall *mutatis mutandis* apply with reference to an inquiry in terms of this section.

(4) Any determination in terms of subsection (1), and any amendment in terms of subsection (5), shall be made known by the registrar by notice in the *Gazette*.

(5) The council shall, as often as it may become necessary, review a determination under subsection (1), or any particular item or items thereof, and may amend such determination or any such item or items.

(6) Any determination or amendment made known in terms of subsection (5) shall, subject to the provisions of subsection (7), as from the date of publication of the notice concerned, or a date, if any, fixed by the council for the purpose and specified in such notice, be binding on every person practising the profession to which such conditions of employment or tariff of fees, or any amendment thereof, relates.

(7) (a) The council may subject to such conditions as it may determine grant exemption to any person from complying with any determination referred to in subsection (6).

(b) The council may withdraw such exemption by giving one month's prior written notice to the person concerned.

Appointment of registrar and staff.

13. (1) Subject to the provisions of subsection (3), the council—

(a) shall appoint a registrar;

(b) may appoint such other persons as it may deem necessary for carrying out its functions; and

(c) may dismiss any person so appointed.

(2) The registrar shall act as secretary to the council and shall perform the functions and carry out the duties assigned to or imposed upon him by this Act or the council.

(3) The appointment or dismissal of the registrar shall be subject to the approval of the Minister.

(4) A person who is not proficient in both official languages shall not be appointed in terms of this section.

Funds of council.

14. (1) All registration and examination fees and any other fees payable under this Act, shall be paid to the council and shall constitute its funds, and the council shall utilize its funds for defraying expenses incurred in connection with the performance of its functions.

(2) The council may invest any moneys not required for immediate use and may establish such reserve funds, and deposit therein such amounts, as it may deem necessary or expedient.

Rectification of errors and validation of irregular acts.

15. If anything required to be done under this Act in connection with the appointment or election of any member of the council is omitted or is not done within the time or in the manner required by this Act, the Minister may order the taking of steps required to be taken in order to rectify the omission or error, or may validate anything done in an irregular manner, in order to give effect to the objects of this Act.

## CHAPTER 2

## EDUCATION, TRAINING AND REGISTRATION OF DENTAL TECHNICIANS

Control of education and training.

16. (1) Notwithstanding anything to the contrary in any law contained, no person or institution may offer or provide any education or training which is intended to qualify any person to



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van persone wat na die oordeel van die raad verteenwoordigend is van die meerderheid van tandtegnikus-kontrakteurs of tandtegnici wat werknemers is, kan vertoë tot die raad rig dat die raad ondersoek instel ten einde 'n bepaling van diensvoorwaardes of 5 geldetarief vermeld in subartikel (1), of ten einde enige wysiging ingevolge subartikel (5), te maak of aan te bring, en enige sodanige vereniging of liggaam kan, met die goedkeuring van die raad, vertoë, hetsy mondeling of skriftelik, tot die raad rig met betrekking tot enige sodanige bepaling of wysiging.

10 (3) Die bepalings van artikel 36 (4) is *mutatis mutandis* van toepassing met betrekking tot 'n ondersoek ingevolge hierdie artikel.

(4) Enige bepaling ingevolge subartikel (1), en enige wysiging ingevolge subartikel (5), word deur die registrateur by kennisge- 15 wing in die *Staatskoerant* bekend gemaak.

(5) Die raad moet so dikwels as wat dit nodig word, 'n bepaling ingevolge subartikel (1), of enige besondere item of items daarvan, hersien en kan sodanige bepaling of enige sodanige item of items wysig.

20 (6) 'n Bepaling of wysiging bekend gemaak ingevolge subartikel (5) is, onderworpe aan die bepalings van subartikel (7), vanaf die datum van publikasie van die betrokke kennisgewing, of 'n datum, indien enige, vir die doel deur die raad bepaal en in sodanige kennisgewing vermeld, bindend vir elke persoon wat die 25 beroep beoefen waarop sodanige diensvoorwaardes of geldetarief, of enige wysiging daarvan, betrekking het.

(7) (a) Die raad kan onderworpe aan die voorwaardes wat hy bepaal vrystelling van voldoening aan enige bepaling bedoel in subartikel (6) aan enige persoon verleen.

30 (b) Die raad kan sodanige vrystelling intrek deur aan die betrokke persoon vooraf een maand skriftelik kennis te gee.

13. (1) Behoudens die bepalings van subartikel (3)—

(a) moet die raad 'n registrateur aanstel;

35 (b) kan die raad ander persone wat hy nodig ag vir die verrigting van sy werksaamhede aanstel;

(c) kan die raad enige persoon aldus aangestel, ontslaan.

(2) Die registrateur tree as sekretaris van die raad op en verrig die werksaamhede en voer die pligte uit wat by hierdie Wet of 40 deur die raad aan hom toegewys of opgelê is.

(3) Die aanstelling of ontslag van die registrateur is onderworpe aan die goedkeuring van die Minister.

(4) Iemand wat nie bedrewe is in albei amptelike tale nie, word nie ingevolge hierdie artikel aangestel nie.

45 14. (1) Alle registrasie- en eksamengelde en enige ander gelde kragtens hierdie Wet betaalbaar, word aan die raad betaal en maak sy fondse uit, en die raad wend sy fondse aan ter bestryding van uitgawes aangegaan in verband met die verrigting van sy werksaamhede.

50 (2) Die raad kan enige gelde wat nie vir onmiddellike gebruik nodig is nie belê en kan dié reserwefondse instel, en die bedrae daarin deponeer, wat hy nodig of wenslik ag.

15. Indien enigiets wat ingevolge hierdie Wet in verband met die aanstelling of verkiesing van 'n lid van die raad gedoen moet 55 word, nagelaat word of nie binne die tydperk of op die wyse deur hierdie Wet vereis, gedoen word nie, kan die Minister gelas dat die stappe gedoen word wat nodig is om die versuim of fout te herstel, of kan hy enigiets wat op 'n onreëlmatige wyse gedoen is, geldig verklaar, ten einde aan die oogmerke van hierdie Wet 60 gevolg te gee.

Aanstelling van  
registrateur en  
personeel.

Fondse van raad.

Herstel van foute en  
geldigverklaring  
van onreëlmatige  
handelinge.

## HOOFSTUK 2

## ONDERRIG, OPLEIDING EN REGISTRASIE VAN TANDTEGNICI

16. (1) Ondanks andersluidende wetsbepalings mag geen 65 persoon of inrigting onderrig of opleiding aanbied of verskaf wat bedoel is om iemand te bekwaam om die beroep van tandtegnikus

Beheer van onderrig  
en opleiding.

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practise the profession of a dental technician, unless such education and training have been approved by the council.

(2) Any person or institution intending to offer or to provide the education and training referred to in subsection (1) shall, before offering or providing the education and training, apply to the council in writing for its approval of the education and training and shall furnish such particulars regarding the education and training as the council may require. 5

(3) The council may approve or refuse any application made in terms of subsection (2) and may, where it approves the application, impose any condition or make any requirement it may deem fit. 10

(4) Any decision given by the council in terms of subsection (3) shall be final.

(5) Any person who contravenes or fails to comply with any provision of this section or any condition or requirement referred to in subsection (3) shall be guilty of an offence and on conviction liable to a fine not exceeding R500 or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment. 20

Unregistered persons may not practise or be trained as dental technicians.

17. No person shall practise the profession of a dental technician, or be educated or trained as a dental technician, unless he is registered in terms of this Act as a dental technician or student dental technician, as the case may be.

Registration of dental technicians.

18. (1) Any person who intends to be registered as a dental technician in terms of this Act shall apply to the council in writing and shall submit the qualification which, in his submission, entitles him to registration, together with such proof of his identity and of the authenticity and validity of the qualification submitted as may be required by the council. 30

(2) If the council is satisfied that the qualification and the other documents submitted in support of the application comply with the requirements of this Act, it shall, upon payment of the prescribed fee, cause the necessary entry to be made in the register and the registrar shall thereupon issue a registration certificate authorizing the applicant, subject to the provisions of this Act or any other law, to practise the profession of dental technician. 35

Registration of student dental technicians.

19. (1) Any person who intends to be registered as a student dental technician in terms of this Act shall apply in writing to the council, and such application shall be accompanied by the prescribed particulars and registration fee. 40

(2) If the council is satisfied that the applicant is entitled to registration, it shall cause the necessary entry to be made in the register, and the registrar shall thereupon issue to the applicant a registration certificate in the prescribed form. 45

(3) The person in charge of an approved institution shall forthwith notify the council of the termination of the education and training of a student dental technician at such institution, whether by reason of the abandonment or completion of education and training or the transfer of such student to another such institution or for any other reason. 50

Keeping of registers.

20. (1) The council shall keep separate registers in respect of dental technicians and student dental technicians, and shall enter in the appropriate register the prescribed particulars of every person whose application is granted under section 18 or 19. 55

(2) The council shall keep the registers correctly and in accordance with the provisions of this Act, and shall remove therefrom the names of all registered persons in terms of section 24 and shall from time to time effect the necessary alterations in the names and addresses or qualifications of registered persons. 60

(3) Any registered person who changes his name or address shall in writing notify the registrar thereof within thirty days after such change.

(4) (a) No qualification shall be entered in the register in respect of any person if the council is satisfied that such person does not hold such qualification. 65



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te beoefen nie, tensy sodanige onderrig en opleiding deur die raad goedgekeur is.

(2) Enige persoon of inrigting wat die onderrig en opleiding bedoel in subartikel (1) wil aanbied of verskaf, moet, alvorens hy 5 die onderrig en opleiding aanbied of verskaf, skriftelik by die raad om sy goedkeuring vir die onderrig en opleiding aansoek doen en moet die besonderhede aangaande die onderrig en opleiding verstrek wat die raad vereis.

(3) Die raad kan 'n aansoek wat ingevolge subartikel (2) gedoen 10 is, goedkeur of afwys en kan, waar hy die aansoek goedkeur, enige voorwaarde op lê of vereiste stel wat hy goetvind.

(4) 'n Besluit ingevolge subartikel (3) deur die raad gegee, is afdoende.

(5) Iemand wat 'n bepaling van hierdie artikel of 'n voorwaarde 15 of vereiste in subartikel (3) bedoel, oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R500 of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met daardie boete sowel as daardie gevangenisstraf.

20 17. Niemand mag die beroep van 'n tandtegnikus beoefen of as 'n tandtegnikus onderrig of opgelei word nie, tensy hy ingevolge hierdie Wet as 'n tandtegnikus of student-tandtegnikus, na gelang van die geval, geregistreer is. Ongeregistreerde persone mag nie praktiseer of opgelei word as tandtegnici nie.

25 18. (1) Iemand wat ingevolge hierdie Wet as 'n tandtegnikus geregistreer wil word, moet by die raad skriftelik aansoek doen en moet die kwalifikasie wat, na hy beweer, aan hom die reg op registrasie verleen, voorlê, tesame met dié bewys van sy identiteit en van die egtheid en geldigheid van die voorgelegde kwalifikasie, wat die raad vereis. Registrasie van tandtegnici.

30 (2) Indien die raad oortuig is dat die kwalifikasie en die ander stukke wat ter staving van die aansoek voorgelê is, aan die vereistes van hierdie Wet voldoen, laat hy, by betaling van die voorgeskrewe geld, die nodige inskrywing in die register doen, en die registrateur reik daarna 'n registrasiesertifikaat uit wat die 35 aansoeker magtig om behoudens die bepalinge van hierdie Wet of enige ander wet die beroep van tandtegnikus te beoefen.

40 19. (1) Enige persoon wat as 'n student-tandtegnikus ingevolge hierdie Wet geregistreer wil word, moet by die raad skriftelik aansoek doen, en sodanige aansoek gaan vergesel van die voorgeskrewe besonderhede en registrasiegeld. Registrasie van student-tandtegnici.

(2) Indien die raad oortuig is dat die aansoeker geregtig is op registrasie, laat hy die nodige inskrywing in die register doen, en die registrateur reik daarna aan 'n aansoeker 'n registrasiesertifikaat in die voorgeskrewe vorm uit.

45 (3) Die persoon in beheer van 'n goedgekeurde inrigting moet die raad onverwyld in kennis stel van die beëindiging van die onderrig en opleiding van 'n student-tandtegnikus aan daardie inrigting, hetsy weens die staking of voltooiing van onderrig en opleiding of die oorpasing van so 'n student na 'n ander sodanige 50 inrigting of om 'n ander rede.

20. (1) Die raad moet afsonderlike registers ten opsigte van tandtegnici en student-tandtegnici hou, en moet die voorgeskrewe besonderhede van elke persoon wie se aansoek ingevolge artikel 18 of 19 toegestaan word, in die toepaslike register inskryf. Hou van registers.

55 (2) Die raad moet die registers korrek en ooreenkomstig die bepalinge van hierdie Wet hou, en moet die name van alle geregistreerde persone ingevolge artikel 24 daaruit skrap en moet van tyd tot tyd die nodige veranderings aan die name en adresse of kwalifikasies van geregistreerde persone aanbring.

60 (3) 'n Geregistreerde persoon wat sy naam of adres verander, moet binne dertig dae na die verandering aan die registrateur skriftelik kennis daarvan gee.

(4) (a) Geen kwalifikasie word in die register ten opsigte van iemand ingeskryf nie indien die raad oortuig is dat so 65 iemand nie daardie kwalifikasie besit nie.

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- (b) Any registration which is proved to the satisfaction of the council to have been made in error or as a result of misrepresentation or in circumstances not authorized by this Act, may be removed from the register, and an entry of the reason for such removal shall be made in the register. 5
- (c) The person whose registration is removed from the register in terms of paragraph (b), shall be notified thereof in accordance with the provisions of section 24 (2). 10
- (d) Any certificate issued in respect of the registration in question shall be deemed to be cancelled as from the date on which notice is so given.

Council may refuse registration.

21. Notwithstanding any provision to the contrary in this Act contained, the council may refuse to register any person under section 18 or 19 or to restore the name of any person to a register, if, in the opinion of the council, such person is by reason of a conviction, in the Republic or elsewhere, of a prescribed offence, not fit to practise as a dental technician, or to be a student dental technician. 20

Minister may prescribe qualifications required for registration as dental technician.

22. The Minister may, from time to time on the recommendation of the council, prescribe the qualifications obtained by virtue of examinations conducted by an approved institution which shall, if possessed alone or together with another qualification, entitle the possessor thereof to registration as a dental technician in terms of this Act, if he complies, before or in connection with or after the acquisition of the qualification in question, with the conditions or requirements so prescribed. 25

Registration subject to restrictions.

23. (1) The council may, subject to the provisions of subsections (2) and (3), register as a dental technician any person who acquired a qualification or underwent training outside the Republic if such qualification or training entitled the person to practise as a dental technician in the country or state in which he acquired the qualification or underwent the training. 30

(2) A person registered in terms of subsection (1) as a dental technician shall be entitled to practise as such, only— 35

- (a) for the period or periods determined by the council, during which he shall satisfy the council that—
  - (i) he possesses professional knowledge and ability of a standard not lower than that prescribed in respect of dental technicians in the Republic; and 40
  - (ii) he is conversant with the laws of the Republic regarding dental practice and the practising of the profession of a dental technician;
- (b) in the area or areas determined by the council; and 45
- (c) subject to any further conditions determined by the council.

(3) The council may, for the purposes of subsection (2) (a) (i), and shall, for the purposes of subsection (2) (a) (ii), require the person concerned to sit for an examination (whether oral, written or practical or two or more such examinations) before examiners appointed by the council. 50

(4) If the council is satisfied that an applicant referred to in subsection (1) complies with the requirements of this Act, it shall exempt such applicant from all restrictions imposed in respect of him in terms of subsection (2), and if the council is not so satisfied it shall remove such person's name from the register. 55

Removal of names from, and restoration thereof to, register.

24. (1) The council may order the registrar to remove the name of any person from the register concerned if the council is satisfied that such person— 60

- (a) has died;
- (b) has left the Republic permanently or has been absent from the Republic for a continuous period of more than three years without the council's permission;

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- (b) 'n Registrasie wat ten genoë van die raad bewys word weens 'n vergissing of as gevolg van wanvoorstelling of in omstandighede wat nie deur hierdie Wet gemagtig word nie, gemaak te wees, kan uit die register geskrap word, en 'n aantekening van die rede vir bedoelde skrapping moet in die register gemaak word.
- (c) Die persoon wie se registrasie ingevolge paragraaf (b) uit die register verwyder word, moet daarvan in kennis gestel word ooreenkomstig die bepalings van artikel 24 (2).
- (d) 'n Sertifikaat wat ten opsigte van die betrokke registrasie uitgereik is, word geag ingetrek te wees vanaf die datum waarop kennis aldus gegee word.

21. Ondanks 'n andersluidende bepaling van hierdie Wet kan Raad kan registrasie weier.

15 die raad weier om iemand ingevolge artikel 18 of 19 te registreer, of om die naam van iemand op 'n register terug te plaas, indien, na die oordeel van die raad, so iemand weens skuldigbevinding aan 'n voorgeskrewe misdryf in die Republiek of elders, nie geskik is om as 'n tandtegnikus te praktiseer of om 'n student-tandtegnikus te wees nie.

22. Die Minister kan van tyd tot tyd op aanbeveling van die raad die kwalifikasies, verwerf uit hoofde van eksamens afgeneem deur 'n goedgekeurde inrigting, voorskryf wat, indien dit alleen of saam met 'n ander kwalifikasie besit word, aan 'n besitter daarvan die reg verleen op registrasie kragtens hierdie Wet as 'n tandtegnikus, indien hy voor of in verband met of na die verwerwing van die betrokke kwalifikasie voldoen het aan die voorwaardes of vereistes aldus voorgeskryf.

23. (1) Die raad kan onderworpe aan die bepalings van subartikels (2) en (3) enige persoon wat buite die Republiek 'n kwalifikasie verwerf of opleiding ondergaan het, as 'n tandtegnikus registreer, indien sodanige kwalifikasie of opleiding aan die persoon die reg verleen om in die land of staat waar hy die kwalifikasie verwerf of die opleiding ondergaan het, as tandtegnikus te praktiseer.

(2) Iemand wat kragtens subartikel (1) as 'n tandtegnikus geregistreer is, is slegs geregtig om as sodanig te praktiseer—

- (a) vir die tydperk of tydperke wat die raad bepaal, waarin hy die raad moet oortuig dat—
- 40 (i) hy oor professionele kennis en vaardigheid beskik wat van 'n standaard is wat nie laer is nie as dié wat ten opsigte van tandtegnici in die Republiek voorgeskryf word; en
- 45 (ii) hy vertrouwd is met die wette van die Republiek wat op tandheelkundige praktyk en die beoefening van die beroep van tandtegnikus betrekking het;
- (b) in die gebied of gebiede wat die raad bepaal; en
- (c) onderworpe aan enige verdere voorwaardes wat die raad bepaal.

50 (3) Die raad kan, vir die doeleindes van subartikel (2) (a) (i), en moet, vir die doeleindes van subartikel (2) (a) (ii), die betrokke persoon verplig om 'n eksamen (hetsy mondeling of geskrewe of prakties of twee of meer sodanige eksamens) af te lê voor eksaminatore deur die raad aangestel.

55 (4) Indien die raad oortuig is dat 'n aansoeker in subartikel (1) bedoel aan die vereistes van hierdie Wet voldoen, moet hy sodanige aansoeker vrystel van alle beperkings wat ten opsigte van hom kragtens subartikel (2) opgelê is, en indien die raad nie aldus oortuig is nie, moet hy so 'n persoon se naam uit die register

60 skrap.

24. (1) Die raad kan die registrateur gelas om die naam van iemand uit die betrokke register te skrap, indien die raad oortuig is dat so iemand—

- (a) gesterf het;
- 65 (b) die Republiek permanent verlaat het of sonder toestemming van die raad vir 'n ononderbroke tydperk van meer as drie jaar uit die Republiek afwesig was;

Skrapping van name uit, en terugplasing daarvan op, register.

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- (c) has failed to pay any money which he owes to the council within three months after the date on which a reminder has been sent to him by the registrar by registered post to his address as entered in the register;
- (d) has failed to notify the registrar, within a period of three months as from the date of a written enquiry sent by the registrar to the address appearing in the register in respect of such person, of his present address;
- (e) has requested that his name be removed from the register, in which case such person may be required by the registrar to lodge with the registrar an affidavit or affirmation to the effect that no disciplinary or criminal proceedings are being or are likely to be instituted against him.

(2) Notice of the removal in terms of subsection (1) of his name from the register or the removal in terms of section 20 (4) or 23 (4) of an entry from the register, shall be given by the registrar to the person concerned by sending a letter embodying the notice of removal to such person at the address appearing in respect of him in the register.

(3) As from the date on which notice is given in terms of subsection (2)—

- (a) any registration certificate issued in terms of this Act to the person concerned shall be deemed to be cancelled; and
- (b) such person shall cease to practise the profession of dental technician or to perform any act which he was entitled to perform as a registered person,

until such time as his name or the entry removed from the register in terms of section 20 (4), as the case may be, is restored to the register.

(4) If—

- (a) it appears to the judge referred to in section 19 of the Mental Health Act, 1973 (Act No. 18 of 1973), from the documents submitted to him in terms of section 18 (3) of that Act, or it is brought to the notice of such judge in any other manner, that the person to whom the documents relate is a person registered under this Act and such person is declared a mentally ill person as contemplated in section 19 (1) (b) of that Act; or
- (b) it is brought to the notice of a court that an accused person appearing before it is registered in terms of this Act, and the court in terms of section 77 (6) or 78 (6) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), directs that the accused person be detained pending the signification of the decision of the State President,

the judge or court shall direct that a copy of the order declaring the person concerned a mentally ill person, or, as the case may be, a copy of the direction that the accused be detained pending the signification of the decision of the State President, be transmitted to the registrar, and the registrar shall on receipt of the copy remove the name of the person concerned from the register.

(5) A name which has been removed from the register in terms of this section or an entry which has been removed from the register in terms of section 20 (4), shall be restored to the register by the registrar if the person concerned—

- (a) applies on the prescribed form for such restoration;
- (b) pays any fee prescribed in respect of such restoration;
- (c) if his name has been removed from the register in terms of subsection (4), submits proof to the satisfaction of the council of his discharge in terms of the provisions of the



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- (c) in gebreke gebly het om enige geld wat hy aan die raad verskuldig is, te betaal binne drie maande na die datum waarop 'n aanmaning deur die registrateur per aangetekende pos aan hom by sy adres soos in die register aangeteken, gestuur is;
- 5 (d) versuim het om die registrateur van sy huidige adres in kennis te stel binne 'n tydperk van drie maande vanaf die datum van 'n skriftelike navraag wat deur die registrateur gestuur is na die adres wat in die register ten opsigte van daardie persoon verskyn;
- 10 (e) versoek het dat sy naam uit die register geskrap word, in watter geval so 'n persoon deur die registrateur aangesê kan word om by die registrateur 'n beëdigde verklaring of bevestiging in te dien met die strekking dat geen tug- of strafregtelike stappe teen hom gedoen word of waarskynlik gedoen sal word nie.
- 15 (2) Kennis van die skraping ingevolge subartikel (1) van sy naam uit die register of die skraping ingevolge artikel 20 (4) of 23 (4) van 'n inskrywing uit die register, moet deur die 20 registrateur aan die betrokke persoon gegee word deur 'n brief wat die kennisgewing van skraping beliggaam aan bedoelde persoon te stuur by die adres wat ten opsigte van hom in die register verskyn.
- (3) Vanaf die datum waarop kennis ingevolge subartikel (2) 25 gegee word—
- (a) word 'n registrasiesertifikaat wat ingevolge hierdie Wet aan die betrokke persoon uitgereik is, geag gekanselleer te wees; en
- (b) moet bedoelde persoon ophou om die beroep van tandtegnikus te beoefen of om enige handeling te verrig wat hy as 'n geregistreerde persoon geregtig was om te verrig,
- 30 totdat sy naam of die inskrywing wat ingevolge artikel 20 (4) uit die register geskrap is, na gelang van die geval, op die register 35 teruggeplaas word.
- (4) Indien—
- (a) dit aan die regter bedoel in artikel 19 van die Wet op Geestesgesondheid, 1973 (Wet No. 18 van 1973), uit die stukke blyk wat ingevolge artikel 18 (3) van daardie 40 Wet aan hom voorgelê is, of dit op enige ander wyse onder die aandag van daardie regter gebring word, dat die persoon op wie die stukke betrekking het iemand is wat kragtens hierdie Wet geregistreer is, en so iemand tot geestesongestelde persoon verklaar word soos beoog in artikel 19 (1) (b) van daardie Wet; of
- 45 (b) dit tot die kennis van 'n hof gebring word dat 'n beskuldigde persoon wat voor hom verskyn, kragtens hierdie Wet geregistreer is, en die hof kragtens artikel 77 (6) of 78 (6) van die Strafproseswet, 1977 (Wet No. 51 van 1977), gelas dat die beskuldigde persoon 50 aangehou word hangende die beskikking van die Staatspresident,
- moet die regter of hof gelas dat 'n afskrif van die bevel wat die betrokke persoon tot geestesongestelde persoon verklaar of, na 55 gelang van die geval, 'n afskrif van die lasgewing dat die beskuldigde aangehou word hangende die beskikking van die Staatspresident, aan die registrateur gestuur word, en die registrateur moet by ontvangs van die afskrif die naam van die betrokke persoon uit die register skrap.
- 60 (5) 'n Naam wat ingevolge hierdie artikel uit die register geskrap is, of 'n inskrywing wat ingevolge artikel 20 (4) uit die register geskrap is, moet deur die registrateur op die register teruggeplaas word indien die betrokke persoon—
- (a) op die voorgeskrewe vorm om sodanige terugplasing 65 aansoek doen;
- (b) enige gelde betaal wat ten opsigte van sodanige terugplasing voorgeskryf is;
- (c) indien sy naam ingevolge subartikel (4) uit die register geskrap is, ten genoë van die raad bewys voorlê van sy ontslag ingevolge die bepalings van die Wet op

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Mental Health Act, 1973, from the institution at which he was detained; and

- (d) complies with such other requirements as the council may determine.

Custody and publication of registers.

25. The registers shall be kept at the office of the council, and the registrar shall at intervals to be determined by the council and in accordance with the directions of the council, cause copies of the registers and of any supplementary lists showing any alterations, additions, revisions and deletions made since the last publication of the complete registers, to be printed and published.

Receipt as proof.

26. A receipt purporting to be issued by or on behalf of the council in respect of the payment of annual fees shall be *prima facie* proof in proceedings in a court of law that such person is registered under the provisions of this Act: Provided that in the case of any person whose name—

- (a) appears in such register, but who is unable to produce such receipt, a certificate purporting to be signed by the registrar shall be proof that such person is registered under the provisions of this Act;
- (b) has been removed from the register since the date of issue of such receipt and has not been restored to the register, a certificate purporting to be signed by the registrar and stating that the name of such person has been removed from the register, shall be proof that such person is not registered under the provisions of this Act.

## CHAPTER 3

## OFFENCES AND THE CONTROL OVER ARTIFICIAL TEETH

Acts which may be performed only by dentists or dental technicians.

27. (1) No person other than a dentist shall, for gain—
- (a) supply or undertake to supply any artificial denture or other dental appliance to any person for use by that person; or
- (b) make, repair, alter or work upon, or undertake to make, repair, alter or work upon, any artificial denture or other dental appliance unless the denture or appliance, or the impression, model or other direction for the making, repairing or altering of or the working upon the denture or appliance, has been or is to be delivered to him by a dentist, and the denture or appliance is to be returned or delivered, as the case may be, by him to the dentist.
- (2) No person other than a dentist shall—
- (a) pretend or hold himself out to be entitled or prepared to supply, make, repair, alter or work upon any artificial denture or other dental appliance otherwise than in accordance with the provisions of subsection (1); or
- (b) solicit or accept, for execution by any person in contravention of subsection (1), any order for the supply, making, repair or alteration of or the working upon any artificial denture or other dental appliance.
- (3) No person, other than a person referred to in subsection (9), shall for gain practise the profession of a dental technician or perform any act specially pertaining to the profession of a dental technician, unless he has been registered as a dental technician under section 18.
- (4) In any prosecution for a contravention of any provision of subsection (1) or (3), the accused shall, unless the contrary is proved, be deemed to have performed the act in respect of which the prosecution is instituted, for gain.
- (5) No person who is not registered under section 18 shall hold himself out to be registered as a dental technician or use any



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Geestesgesondheid, 1973, uit die inrigting waar hy aangehou was; en

- (d) aan die ander vereistes voldoen wat deur die raad bepaal word.

5 25. Die registers word in die kantoor van die raad gehou, en die registrateur moet, by tussenpose wat die raad bepaal en ooreenkomstig die opdragte van die raad, afskrifte van die registers en van enige aanvullende lyste wat enige wysigings, 10 toevoegings, hersienings en skrappings aantoon wat gedoen is sedert die laaste publikasie van die volledige registers, laat druk en uitgee.

Bewaring en publikasie van registers.

26. 'n Kwitansie wat deur of namens die raad uitgereik heet te wees ten opsigte van die betaling van jaarlikse gelde is in verrigtinge in 'n geregshof *prima facie*-bewys dat so iemand 15 kragtens die bepalings van hierdie Wet geregistreer is: Met dien verstande dat in die geval van iemand wie se naam—

Kwitansie as bewys.

- (a) in so 'n register verskyn, maar wat nie in staat is om bedoelde kwitansie voor te lê nie, 'n sertifikaat wat deur die registrateur onderteken heet te wees, bewys is 20 dat bedoelde persoon kragtens die bepalings van hierdie Wet geregistreer is;
- (b) uit die register geskrap is sedert die datum van uitreiking van bedoelde kwitansie en nie op die register teruggeplaas is nie, 'n sertifikaat wat deur die registrateur onderteken heet te wees en waarin vermeld word dat die 25 naam van daardie persoon uit die register geskrap is, bewys is dat bedoelde persoon nie kragtens die bepalings van hierdie Wet geregistreer is nie.

## HOOFSTUK 3

## 30 MISDRYWE EN DIE BEHEER OOR KUNSTANDE

27. (1) Niemand behalwe 'n tandarts mag vir wins—

- (a) kunstande of 'n ander tandtoestel aan enige persoon vir gebruik deur daardie persoon verskaf of onderneem om dit aan hom te verskaf nie; of
- 35 (b) kunstande of 'n ander tandtoestel vervaardig, herstel, verander of daaraan werk, of onderneem om dit te vervaardig, te herstel, te verander of daaraan te werk nie, tensy die tande of toestel, of die afdruk, model of ander aanwysing waarvolgens die tande of 40 toestel vervaardig, herstel of verander of daaraan gewerk moet word, aan hom deur 'n tandarts oorhandig is of moet word, en die tande of toestel deur hom aan die tandarts, na gelang van die geval, terugbesorg of afgelewer moet word.
- 45 (2) Niemand behalwe 'n tandarts mag—
- (a) hom voordoen as of uitgee vir iemand wat geregtig of bereid is om kunstande of 'n ander tandtoestel te verskaf, te vervaardig, te herstel of te verander of daaraan te werk nie, anders as ooreenkomstig die bepalings van subartikel (1); of
- 50 (b) 'n bestelling vir die verskaffing, vervaardiging, herstel of verandering van of die werk aan kunstande of 'n ander tandtoestel, vra of aanneem, om deur enigiemand in stryd met subartikel (1) uitgevoer te word nie.
- 55 (3) Niemand behalwe 'n in subartikel (9) bedoelde persoon mag vir wins die beroep van 'n tandtegnikus uitoefen of 'n handeling verrig wat spesiaal tot die beroep van 'n tandtegnikus behoort nie, tensy hy ingevolge artikel 18 as 'n tandtegnikus geregistreer is.
- 60 (4) By 'n vervolging weens 'n oortreding van 'n bepaling van subartikel (1) of (3), word die beskuldigde geag, tensy die teendeel bewys word, die handeling ten opsigte waarvan die vervolging ingestel word, vir wins te verrig het.
- (5) Niemand wat nie ingevolge artikel 18 geregistreer is nie, 65 mag hom uitgee vir iemand wat as 'n tandtegnikus geregistreer is

Handelinge wat alleen deur tandartse of tandtegnici verrig mag word.

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name, title, description or symbol indicating or calculated to lead persons to infer that he is registered as a dental technician.

- (6) (a) No person shall for his own account practise the profession of dental technician or shall be a member of a partnership of dental technicians which practises that profession or shall be a director of a company which carries on a business in which is performed any act specially pertaining to the profession of a dental technician, unless he has, after having been registered as a dental technician, performed the work of a dental technician for a period of 3 years as an employee in a dental laboratory.
- (b) The provisions of paragraph (a) shall not apply to any person who at the commencement of this Act so practised that profession or was then such a member or director.
- (7) (a) The prohibitions in subsections (1) and (2) shall not replace those contained in section 38 (1) of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No. 56 of 1974).
- (b) The provisions of subsection (2) shall not imply that any dentist who solicits, or allows any person to solicit on his behalf, any order referred to in that subsection, or accepts any such order so solicited, is not guilty of improper conduct, or that an inquiry under Chapter IV of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No. 56 of 1974), may not be instituted against any such dentist.
- (8) Subject to the provisions of sections 19, 23 and 28 no person shall employ any other person to perform the work of a dental technician or any act specially pertaining to the profession of a dental technician, unless such other person is registered under section 18.
- (9) The prohibition in subsection (3) shall not apply in respect of—
- (a) a dentist;
  - (b) a student dental technician, if the act in question is performed for the purposes of his training in dental technology;
  - (c) a person registered in terms of section 23, provided he observes the restrictions in respect of such registration;
  - (d) a dental laboratory assistant in the employment of a dental technician who performs any act referred to in paragraphs (a) to (e) of subsection (1) of section 28 in the circumstances referred to in subsection (2) of that section.

Dental laboratory assistants.

28. (1) Notwithstanding the provisions contained in section 27 a dentist or a dental technician may employ an unregistered person as a dental laboratory assistant to perform the following acts specially pertaining to the profession of a dental technician, namely—

- (a) all plaster work in connection with artificial dentures or dental appliances, except—
  - (i) the articulation of models on an articulator; and
  - (ii) the casting of plaster models for crown and bridge work;
- (b) the flasking and deflasking of a dental prosthesis or appliance using either plaster or stone plaster;
- (c) the separating of dental flasks and the boiling out of wax contents;
- (d) the polishing only of plastic and metal dentures.

(2) A dental laboratory assistant may perform the acts referred to in subsection (1) only as an employee in a dental laboratory under the continuous personal supervision of a dentist or a dental technician.

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nie, of gebruik maak van 'n naam, titel, beskrywing of teken wat aandui of mense sou kan laat aflei dat hy as 'n tandtegnikus geregistreer is nie.

5 (6) (a) Niemand mag vir eie rekening die beroep van tandtegnikus beoefen of 'n lid wees van 'n vennootskap van tandtegnici wat daardie beroep beoefen of 'n direkteur wees van 'n maatskappy wat 'n besigheid dryf waarby 'n handeling verrig word wat spesiaal tot die beroep van tandtegnikus behoort nie, tensy hy, nadat

10 hy as tandtegnikus geregistreer is, vir 'n tydperk van minstens 3 jaar by 'n tandkundige laboratorium as 'n werknemer die werk van 'n tandtegnikus verrig het.

(b) Die bepalings van paragraaf (a) is nie van toepassing op iemand wat by die inwerkingtreding van hierdie Wet daardie beroep aldus beoefen het of toe so 'n lid of direkteur was nie.

20 (7) (a) Die verbodsbepalings in subartikels (1) en (2) vervang nie dié wat in artikel 38 (1) van die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoepe, 1974 (Wet No. 56 van 1974), vervat is nie.

(b) Uit die bepalings van subartikel (2) word nie afgelei nie dat 'n tandarts wat 'n bestelling in daardie subartikel bedoel, vra, of iemand toelaat om dit ten behoeve van hom te vra, of so 'n bestelling wat aldus gevra is, aanneem, nie aan onbetaamlike gedrag skuldig is nie, of dat 'n ondersoek ingevolge Hoofstuk IV van die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoepe, 1974 (Wet No. 56 van 1974), nie teen so

30 'n tandarts ingestel kan word nie.

(8) Behoudens die bepalings van artikels 19, 23 en 28 mag niemand enige ander persoon in diens neem om die werk van 'n tandtegnikus of enige handeling wat spesiaal tot die beroep van 'n tandtegnikus behoort, te verrig nie tensy sodanige ander persoon

35 ingevolge artikel 18 geregistreer is.

(9) Die verbod in subartikel (3) is nie van toepassing nie ten opsigte van—

- (a) 'n tandarts;
- 40 (b) 'n student-tandtegnikus indien die betrokke handeling uitgevoer word vir die doeleindes van sy opleiding in tandtegnologie;
- (c) 'n persoon ingevolge artikel 23 geregistreer mits hy die beperkings wat ten opsigte van sodanige registrasie opgelê is, in ag neem;
- 45 (d) 'n tandkundige laboratorium-assistent in die diens van 'n tandtegnikus wat 'n handeling in paragrafe (a) tot (d) van subartikel (1) van artikel 28 vermeld, verrig in die omstandighede in subartikel (2) van daardie artikel vermeld.

50 28. (1) Ondanks die bepalings van artikel 27 mag 'n tandarts of 'n tandtegnikus 'n ongeregistreerde persoon as 'n tandkundige laboratorium-assistent in diens neem om die volgende handeling wat spesiaal tot die beroep van tandtegnikus behoort, te verrig, naamlik—

55 (a) alle gipswerk in verband met kunstande of tandtoestelle, met uitsondering van—

- (i) die artikulering van modelle op 'n artikulator; en
- (ii) die giet van gipsmodelle vir kroon- en brugwerk;
- 60 (b) die infles en ontfles van 'n tandheelkundige protese of toestel deur die gebruik van of gips of steengips;
- (c) die oopmaak van kunststandeflesse en die uitkook van was;
- (d) die poleer van plastiek- en metaal-kunsgebitte.

(2) 'n Tandkundige laboratorium-assistent mag die handeling in subartikel (1) vermeld slegs verrig as 'n werknemer in 'n laboratorium vir tandkundige werk en onder die voortdurende persoonlike toesig van 'n tandarts of 'n tandtegnikus.

Tandkundige  
laboratorium-assistente.

## Act No. 19, 1979

## DENTAL TECHNICIANS ACT, 1979.

Persons who may be owners of dental laboratories or who may conduct or supervise dental laboratories.

29. (1) Subject to the provisions of section 32 (2), no person other than a dental technician contractor or, subject to the provisions of subsection (3), a dentist, may be the owner of a dental laboratory.

(2) The provisions of subsection (1) shall not apply to— 5

- (a) the State;
- (b) a provincial administration;
- (c) any institution or body contemplated in section 84 (1) (f) of the Republic of South Africa Constitution Act, 1961 (Act No. 32 of 1961); 10
- (d) any university or approved institution for the training of dental technicians; or
- (e) any medical benefit scheme registered in terms of the Medical Schemes Act, 1967 (Act No. 72 of 1967),

in respect of a dental laboratory used in connection with the 15 training of dentists and dental technicians or the rendering of dental services to its employees or to members of the public.

(3) No dentist—

- (a) shall be the owner of a dental laboratory in which work is performed for any person who is not a patient of that 20 dentist;
- (b) shall supervise or conduct any dental laboratory in which work is performed for any person who is not a patient of that dentist or the partnership of which that dentist is a member. 25

(4) Subject to the provisions of subsection (5), no person except the following persons shall supervise a dental laboratory, namely—

- (a) a dentist, provided the dental laboratory is one of which he or the partnership of which he is a member, is the 30 owner;
- (b) any person who is or was a dental technician contractor;
- (c) a dental technician who for a period of not less than three years after his registration as a dental technician performed the work of a dental technician at a dental 35 laboratory, provided it is a laboratory which is used by at least one dentist for the performance of an act specially pertaining to the profession of a dental technician.

(5) From a date determined by the Minister by notice in the 40 *Gazette*, no person who is not the holder of a master dental technician's certificate of competency, shall supervise any dental laboratory unless he supervised a dental laboratory on or before the date so specified.

(6) No person shall conduct a dental laboratory otherwise than 45 under the continuous personal supervision of a person referred to in subsection (4) or, from the date determined in terms of subsection (5), otherwise than under the continuous personal supervision of the holder of a certificate referred to in that subsection, or of a person who supervised a dental laboratory on 50 or before that date.

Registration of dental laboratories.

30. (1) No person shall conduct a dental laboratory unless it has been registered in terms of subsection (2) or has been exempted from registration under subsection (7): Provided that the registrar may in writing authorize the owner of a dental laboratory who has 55 applied for the registration of such laboratory in terms of subsection (3), to conduct such laboratory for a period not exceeding six months, pending the registration of the laboratory by the council.

(2) The council shall keep a register in which shall be entered 60 the name under which every dental laboratory entitled to be registered is conducted, the address or place at which such laboratory is conducted, the name and address of the owner of such laboratory and such other particulars relating to such laboratory or owner as the council may determine. 65



## WET OP TANDTEGNICI, 1979.

## Wet No. 19, 1979

29. (1) Behoudens die bepalings van artikel 32 (2) mag niemand behalwe 'n tandtegnikus-kontrakteur of, behoudens die bepalings van subartikel (3), 'n tandarts, die eienaar van 'n laboratorium vir tandkundige werk wees nie.
- 5 (2) Die bepalings van subartikel (1) is nie van toepassing nie op—
- (a) die Staat;
  - (b) 'n provinsiale administrasie;
  - 10 (c) 'n instelling of liggaam beoog in artikel 84 (1) (f) van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet No. 32 van 1961);
  - (d) 'n universiteit of goedgekeurde inrigting vir die opleiding van tandtegnici; of
  - 15 (e) enige mediese bystandskema geregistreer ingevolge die Wet op Mediese Skemas, 1967 (Wet No. 72 van 1967), met betrekking tot 'n laboratorium vir tandkundige werk wat gebruik word in verband met die opleiding van tandartse en tandtegnici of die verskaffing van tandheelkundige dienste aan sy werknemers of aan lede van die publiek.
- 20 (3) Geen tandarts—
- (a) mag die eienaar wees van 'n laboratorium vir tandkundige werk waarin werk verrig word vir iemand wat nie 'n pasiënt van daardie tandarts is nie;
  - 25 (b) mag oor 'n laboratorium vir tandkundige werk toesig hou waarin werk gedoen word vir iemand wat nie 'n pasiënt van daardie tandarts of die vennootskap waarvan daardie tandarts lid is, of so 'n laboratorium dryf nie.
- (4) Behoudens die bepalings van subartikel (5) mag niemand 30 behalwe die volgende persone toesig hou nie oor 'n laboratorium vir tandkundige werk, naamlik—
- (a) 'n tandarts, mits dit 'n laboratorium vir tandkundige werk is waarvan hy of die vennootskap waarvan hy lid is, die eienaar is;
  - 35 (b) iemand wat 'n tandkundige-kontrakteur is of was;
  - (c) 'n tandtegnikus wat vir 'n tydperk van minstens drie jaar na sy registrasie as tandtegnikus die werk van 'n tandtegnikus by 'n tandkundige laboratorium gedoen het, mits dit 'n laboratorium is waarvan minstens een 40 tandarts gebruik maak vir die verrigting van 'n handeling wat spesiaal tot die beroep van tandtegnikus behoort.
- (5) Vanaf 'n datum deur die Minister by kennisgewing in die Staatskoerant bepaal, mag niemand wat nie die besitter is van 'n 45 meester-tandtegnikusbedreweheidsertifikaat toesig hou oor 'n laboratorium vir tandkundige werk nie tensy hy voor of op die datum aldus bepaal toesig oor 'n laboratorium vir tandkundige werk gehou het.
- (6) Niemand mag 'n laboratorium vir tandkundige werk dryf nie 50 behalwe onder die voortdurende persoonlike toesig van iemand in subartikel (4) bedoel of, vanaf die datum ingevolge subartikel (5) bepaal, behalwe onder die voortdurende persoonlike toesig van die besitter van 'n in daardie subartikel vermelde sertifikaat of van iemand wat op of voor daardie datum toesig oor 'n tandkundige 55 laboratorium gehou het.
30. (1) Niemand mag 'n laboratorium vir tandkundige werk dryf nie tensy dit ingevolge subartikel (2) geregistreer is of ingevolge subartikel (7) van registrasie vrygestel is: Met dien verstande dat die registrateur die eienaar van 'n laboratorium vir 60 tandkundige werk wat ingevolge subartikel (3) om die registrasie van sodanige laboratorium aansoek gedoen het, skriftelik kan magtig om sodanige laboratorium vir 'n tydperk wat nie ses maande oorskry nie te dryf, in afwagting van die registrasie van die laboratorium deur die raad.
- 65 (2) Die raad hou 'n register waarin die naam waaronder elke laboratorium vir tandkundige werk wat op registrasie geregtig is, gedryf word, die adres of plek waar sodanige laboratorium gedryf word, die naam en adres van die eienaar van sodanige laboratorium en die ander besonderhede met betrekking tot sodanige laboratorium of eienaar wat die raad bepaal, ingeskryf word.

Persone wat eienaars van laboratoriums vir tandkundige werk mag wees of wie dit mag dryf of toesig daarvoor mag hou.

Registrasie van laboratoriums vir tandkundige werk.

## Act No. 19, 1979

## DENTAL TECHNICIANS ACT, 1979.

(3) Any person who desires that a dental laboratory be registered in terms of subsection (2) shall apply for such registration in the prescribed manner.

(4) The council shall not register a dental laboratory in terms of subsection (2) unless— 5

- (a) the laboratory is owned by a person who in terms of section 29 is permitted to be the owner thereof;
- (b) the prescribed fees have been paid;
- (c) the laboratory complies with the prescribed conditions and requirements; and 10
- (d) the board is satisfied that the laboratory will be supervised and conducted by a person who is in terms of section 29 entitled to do so.

(5) The council may cancel the registration of a dental laboratory— 15

- (a) if the prescribed annual fee has not been paid within the period prescribed; or
- (b) if the council is satisfied that the laboratory no longer complies with the conditions and requirements referred to in subsection (4): Provided that the council shall, in 20 the case of a dental laboratory registered before the date of publication of the relevant condition or requirement, allow the owner of such laboratory a reasonable period to comply with such conditions and requirements; or
- (c) if the provisions of section 29 are not complied with in 25 respect of that laboratory.

(6) If the ownership of any dental laboratory registered in terms of this Act is transferred, the registration of such laboratory shall lapse.

(7) The provisions of this section shall not apply to any dental 30 laboratory—

- (a) of which a dentist is the owner and in which no person other than that dentist performs any act specially pertaining to the profession of a dental technician;
- (b) of which the State, a provincial administration or a 35 university is the owner; and
- (c) of which an approved institution is the owner and which is used exclusively for the training of dental technicians.

Appointment, duties  
and powers of  
inspectors.

31. (1) The council may appoint inspectors to exercise and perform the powers and functions referred to in subsection (5). 40

(2) An inspector shall be furnished with a certificate, signed by the registrar, stating that such person has been appointed as an inspector under this Act.

(3) Any inspector shall at the request of any person affected by the exercise or the performance by such inspector of any power or 45 function referred to in subsection (5) exhibit the certificate referred to in subsection (2) to such person.

(4) No inspector shall, except for the purposes of this Act or when required to do so as a witness in a court of law, disclose any information relating to any person, partnership or business 50 acquired in the performance of his duties.

(5) An inspector may for the purposes of this Act—

- (a) without previous notice, at any time enter any registered dental laboratory or any other premises where he has reasonable cause to believe that any act specially 55 pertaining to the profession of a dental technician is being performed or has been performed, and make such examination and enquiry as he deems necessary;
- (b) while he is on the premises or at any other time require from any person the production, then and there, or at a 60 time and place determined by the inspector, of any book, document or thing which by this Act is required to be kept or exhibited or which relates to or which he has



## WET OP TANDTEGNICI, 1979.

## Wet No. 19, 1979

- (3) Iemand wat verlang dat 'n laboratorium vir tandkundige werk ingevolge subartikel (2) geregistreer word, moet op die voorgeskrewe wyse om daardie registrasie aansoek doen.
- (4) Die raad registreer nie 'n laboratorium vir tandkundige werk 5 ingevolge subartikel (2) nie tensy—
- (a) iemand wat ingevolge artikel 29 geoorloof is om die eienaar daarvan te wees, die eienaar is;
  - (b) die voorgeskrewe gelde betaal is;
  - (c) die laboratorium aan die voorgeskrewe voorwaardes en vereistes voldoen; en
  - (d) die raad oortuig is dat oor die laboratorium toesig gehou sal word en dat dit gedryf sal word deur iemand wat ingevolge artikel 29 geregtig is om dit te doen.
- (5) Die raad kan die registrasie van 'n laboratorium vir 15 tandkundige werk intrek—
- (a) indien die jaarlikse voorgeskrewe gelde nie binne die voorgeskrewe tydperk betaal is nie; of
  - (b) indien die raad oortuig is dat die laboratorium nie meer aan die in subartikel (4) bedoelde voorwaardes en vereistes voldoen nie: Met dien verstande dat die raad, 20 in die geval van 'n laboratorium vir tandkundige werk wat geregistreer is voor die datum van publikasie van die toepaslike voorwaarde of vereiste, die eienaar van sodanige laboratorium 'n redelike tydperk moet toelaat om aan sodanige voorwaardes en vereistes te voldoen; of
  - (c) indien daar ten opsigte van daardie laboratorium nie aan die bepalings van artikel 29 voldoen word nie.
- (6) Indien die eiendomsreg van 'n laboratorium vir tandkun- 30 dige werk wat ingevolge hierdie Wet geregistreer is, oorgedra word, vervall die registrasie van daardie laboratorium.
- (7) Die bepalings van hierdie artikel is nie van toepassing nie op 'n laboratorium vir tandkundige werk—
- (a) waarvan 'n tandarts die eienaar is en waarin niemand anders as daardie tandarts 'n handeling wat spesiaal tot die beroep van tandtegnikus behoort, verrig nie;
  - (b) waarvan die Staat, 'n provinsiale administrasie of 'n universiteit die eienaar is; of
  - (c) waarvan 'n goedgekeurde inrigting die eienaar is en wat uitsluitlik vir die opleiding van tandtegnici gebruik word. 40
- 31. (1)** Die raad kan inspekteurs aanstel om die bevoegdhede en werksaamhede in subartikel (5) bedoel, uit te oefen en te verrig.
- (2) 'n Inspekteur moet van 'n sertifikaat voorsien word wat deur 45 die registrateur onderteken is en waarin verklaar word dat bedoelde persoon as 'n inspekteur kragtens hierdie Wet aangestel is.
- (3) 'n Inspekteur moet op versoek van iemand wat geraak word deur die uitoefening of die verrigting deur sodanige inspekteur van 50 'n bevoegdheid of werksaamheid in subartikel (5) bedoel, die sertifikaat in subartikel (2) bedoel, toon.
- (4) Behalwe vir die doeleindes van hierdie Wet of wanneer dit van hom as 'n getuie in 'n geregshof vereis word, mag geen inspekteur enige inligting openbaar wat hy by die verrigting van 55 sy pligte met betrekking tot enige persoon, vennootskap of besigheid te wete gekom het nie.
- (5) 'n Inspekteur kan by die toepassing van hierdie Wet—
- (a) te eniger tyd sonder voorafgaande kennisgewing enige geregistreerde laboratorium vir tandkundige werk of enige ander perseel betree waar hy 'n redelike vermoede het dat enige handeling wat spesiaal behoort tot die beroep van tandtegnikus uitgevoer word of uitgevoer is, en die ondersoek instel en die navrae doen wat hy nodig ag;
  - (b) terwyl hy op die perseel is of te eniger ander tyd eis dat enige persoon daar en dan, of op 'n deur die inspekteur bepaalde tyd en plek, enige boek, dokument of ding wat kragtens hierdie Wet gehou of vertoon moet word of wat betrekking het op, of wat na hy op redelike gronde

Aanstelling, pligte  
en bevoegdhede van  
inspekteurs.

## Act No. 19, 1979

## DENTAL TECHNICIANS ACT, 1979.

reasonable cause to suspect relates to matters dealt with in this Act and which is or has been on the premises or in the possession or custody or under the control of any such person or his employee;

- (c) at any time and at any place require from any person who has or is believed to have the possession or custody or control of any book, document or thing relating to any matter dealt with in this Act, the production thereof then and there, or at a time and place determined by the inspector; and
- (d) examine and make extracts from and copies of any such book or document, and may require from any person an explanation of any entry therein and may attach any such book, document or thing as in his opinion may afford evidence of an offence under this Act.

Commission,  
partnership and  
companies.

32. (1) No dental technician may offer or allow to or accept from any dentist any discount on the tariff of fees determined under section 12 (1) (b), or may in connection with his work as a dental technician, offer, allow or pay any commission or remuneration to a dentist, or carry on any business involving the performance of any act specially pertaining to the profession of a dental technician in partnership with a dentist, and no dentist may propose, offer, allow or accept such discount, commission or remuneration to or from any dental technician or carry on any such business in partnership with a dental technician.

(2) No company shall carry on any business involving the performance of any act specially pertaining to the profession of a dental technician: Provided that the provisions of this subsection shall not apply to any company which at the commencement of this Act is legally carrying on a business involving the performance of any such act.

(3) Subject to the provisions of subsection (1), no partnership shall carry on any business in which is performed any act specially pertaining to the profession of a dental technician unless all the partners are dentists or dental technicians.

Trading in and  
possession of  
unmounted artificial  
teeth.

33. (1) No person other than a dentist or a dental technician contractor shall manufacture, import, buy or be in possession of any unmounted artificial teeth except under a permit issued in accordance with subsection (3): Provided that—

- (a) a dentist may manufacture, import, buy or be in possession of unmounted artificial teeth solely for the purpose of supplying such artificial teeth to persons treated by him in the exercise of his practice as a dentist; and
- (b) a dental technician contractor may manufacture, import, buy or be in possession of unmounted artificial teeth solely for the purpose of supplying such teeth to a dentist in accordance with the provisions of this Act.

(2) No person shall supply any unmounted artificial teeth to any person who is not a dentist, dental technician contractor or the holder of a permit issued under subsection (3).

(3) The council may, subject to the prescribed conditions and upon payment of the prescribed fees, issue a permit to any person authorizing such person to manufacture, import, buy or be in possession of unmounted artificial teeth for the purpose of supplying such artificial teeth to a dentist, dental technician contractor, or a person who is the holder of a permit issued under this section.

(4) The conditions referred to in subsection (3) may authorize the board to withdraw, or suspend for a particular period, any permit in any case where any of the conditions subject to which the permit has been granted is not complied with.

## WET OP TANDTEGNICI, 1979.

## Wet No. 19, 1979

- vermoed, betrekking het op, aangeleenthede waaroor hierdie Wet handel, en wat op die perseel of in die besit of bewaring of onder beheer van enige sodanige persoon of sy werknemer is of was, voorlê;
- 5 (c) te eniger tyd en op enige plek van enige persoon wat 'n boek, dokument of ding wat betrekking het op aangeleenthede waaroor hierdie Wet handel, in sy besit of bewaring of onder sy beheer het of vermoed word te hê, die voorlegging daarvan daar en dan, of op 'n deur
- 10 (d) enige sodanige boek of dokument ondersoek en uittreksels daaruit of afskrifte daarvan maak, en kan van enige persoon 'n verduideliking vereis van enige inskrywing daarin en kan beslag lê op enige sodanige boek,
- 15 dokument of ding wat volgens sy oordeel bewys kan oplewer van 'n misdryf kragtens hierdie Wet.

32. (1) 'n Tandtegnikus mag geen afslag op die geldertarief ingevolge artikel 12 (1) (b) bepaal aan 'n tandarts aanbied of toelaat of van enige tandarts aanneem nie, of in
- 20 verband met sy werk as tandtegnikus enige kommissie of vergoeding aan 'n tandarts aanbied, toelaat of betaal nie, of enige besigheid waarby die verrigting van 'n handeling wat spesiaal tot die beroep van tandtegnikus behoort, betrokke is in vennootskap met 'n tandarts dryf nie, en 'n tandarts mag nie sodanige
- 25 afslag, kommissie of vergoeding aan 'n tandtegnikus voorstel, aanbied, toelaat of van hom aanneem of enige sodanige besigheid in vennootskap met 'n tandtegnikus dryf nie.
- (2) Geen maatskappy mag 'n besigheid waarby die verrigting van 'n handeling betrokke is wat spesiaal tot die beroep van
- 30 tandtegnikus behoort, dryf nie: Met dien verstande dat die bepalings van hierdie subartikel nie van toepassing is nie op 'n maatskappy wat by die inwerkingtreding van hierdie Wet wettig 'n besigheid dryf waarby die verrigting van sodanige handeling betrokke is.
- 35 (3) Behoudens die bepalings van subartikel (1) mag geen vennootskap 'n besigheid waarby 'n handeling verrig word wat spesiaal tot die beroep van tandtegnikus behoort, dryf nie, tensy al die vennote tandartse of tandtegnici is.

Kommissie,  
vennootskap en  
maatskappye.

33. (1) Niemand behalwe 'n tandarts of 'n tandtegnikus-40 kontrakteur mag ongemonteerde kunstande vervaardig, invoer, koop of in besit daarvan wees nie, behalwe kragtens 'n permit ooreenkomstig subartikel (3) uitgereik: Met dien verstande dat—
- (a) 'n tandarts ongemonteerde kunstande mag vervaardig, invoer, koop of in besit daarvan mag wees slegs ten
- 45 einde sodanige kunstande te verskaf aan persone wat deur hom in die uitoefening van sy praktyk as tandarts behandel is; en
- (b) 'n tandtegnikus-kontrakteur ongemonteerde kunstande mag vervaardig, invoer, koop of in besit daarvan mag
- 50 wees slegs ten einde dit aan 'n tandarts te verskaf ooreenkomstig die bepalings van hierdie Wet.
- (2) Niemand mag ongemonteerde kunstande verskaf aan iemand wat nie 'n tandarts, 'n tandtegnikus-kontrakteur of die besitter van 'n kragtens subartikel (3) uitgereikte permit is nie.
- 55 (3) Die raad kan, onderworpe aan die voorgeskrewe voorwaardes en by betaling van die voorgeskrewe gelde, 'n permit aan 'n persoon uitreik wat sodanige persoon magtig om ongemonteerde kunstande te vervaardig, in te voer, te koop of in besit daarvan te wees ten einde sodanige kunstande te verskaf aan 'n
- 60 tandarts, tandtegnikus-kontrakteur of die persoon wat die houer is van 'n permit kragtens hierdie artikel uitgereik.
- (4) Die voorwaardes in subartikel (3) vermeld, kan die raad magtig om 'n permit in te trek of vir 'n bepaalde tyd op te skort, in 'n geval waar aan enige van die voorwaardes onderworpe
- 65 waaraan die permit uitgereik word, nie voldoen word nie.

Handel in en besit  
van ongemonteerde  
kunstande.

## Act No. 19, 1979

## DENTAL TECHNICIANS ACT, 1979.

Register of  
transactions in  
unmounted artificial  
teeth.

34. Any person to whom a permit has been issued under section 33 (3) shall keep a register in the prescribed form wherein he shall enter the prescribed particulars relating to all unmounted artificial teeth which he has manufactured, imported, bought, sold or supplied, or which he has in his possession, and shall at all reasonable times, at the request of any police official as defined in section 1 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), of or above the rank of sergeant or any inspector, produce such register and any unmounted artificial teeth which are in his possession, for the inspection of such policeman or inspector.

## CHAPTER 4

## DISCIPLINARY POWERS OF THE COUNCIL

Inquiry by council  
into charge of  
misconduct.

35. (1) The council may institute an inquiry into any complaint, charge or allegation of improper or disgraceful conduct against any person registered under this Act and, on finding such person guilty of such conduct, may impose any of the penalties referred to in section 36 (1): Provided that in the case of a complaint, charge or allegation which forms or is likely to form the subject of a criminal case in a court of law, the council may postpone the holding of an inquiry until such case has been disposed of.

(2) Whenever the council is in doubt as to whether an inquiry should be held, it may in connection with the complaint, charge or allegation in question consult with, or seek information from, any person, including the person against whom the complaint, charge or allegation has been lodged.

Matters for, and  
procedure at, inquiry  
by council.

36. (1) Any person registered under this Act who, after the holding of an inquiry referred to in section 35, is found guilty of improper or disgraceful conduct, or conduct which, when regard is had to such person's profession, is improper or disgraceful, shall be liable to one or other of the following penalties—

- (a) a caution or a reprimand or a reprimand and a caution; or
- (b) suspension for a specified period from practising or performing acts specially pertaining to his profession; or
- (c) removal of his name from the register; or
- (d) in the case of a student dental technician, extension of the prescribed period of education and training.

(2) Any person whose conduct is being inquired into in terms of section 35 shall be afforded an opportunity, by himself or through his legal representative, of answering the charge and of being heard in his defence.

(3) Any penalty imposed under subsection (1) shall be reduced to writing, and shall be signed by the president of the council and shall be made known to the bodies and persons prescribed, and thereafter such writing shall be dealt with in the prescribed manner.

- (4) (a) The council or a committee referred to in section 11 (1) (a) may for the purposes of an inquiry take evidence and may, under the hand of the president of the council or the chairman of such committee or the registrar, summon any witness and require the production of any book, record, document or thing, and may, through the president or such chairman, administer an oath or affirmation to any witness, and may examine any book, record, document or thing which a witness has been required to produce.
- (b) A summons to appear before the council or the committee as a witness or to produce to it any book, record, document or thing, shall be, as nearly as practicable, in the prescribed form and shall be served either by registered letter sent through the post or in the same manner as it would have been served if it had been a subpoena in a civil matter in a magistrate's court.



## WET OP TANDTEGNICI, 1979.

Wet No. 19, 1979

34. 'n Persoon aan wie 'n permit kragtens artikel 33 (3) uitge-  
reik is, moet 'n register in die voorgeskrewe vorm hou waarin hy  
die voorgeskrewe besonderhede moet aanteken betreffende alle  
ongemonteerde kunstande wat hy vervaardig, ingevoer, gekoop,  
5 verkoop of verskaf het, of wat hy in sy besit het, en moet te alle  
redelike tye op versoek van 'n polisiebeampte soos omskryf in  
artikel 1 van die Strafproseswet, 1977 (Wet No. 51 van 1977),  
met die rang van sersant of hoër of van 'n inspekteur die register  
en alle ongemonteerde kunstande wat in sy besit is, toon vir  
10 ondersoek deur bedoelde polisiebeampte of inspekteur.

Register van  
transaksies in  
ongemonteerde  
kunstande.

## HOOFSTUK 4

## TUGBEVOEGDHEDE VAN DIE RAAD

35. (1) Die raad kan ondersoek instel na 'n klagte, beskuldiging  
of bewering van onbetaamlike of skandelijke gedrag teen iemand  
15 wat kragtens hierdie Wet geregistreer is en kan, by skuldigbevinding  
van so iemand aan sodanige gedrag, enige van die in artikel 36  
(1) bedoelde strawwe oplê: Met dien verstande dat in die geval  
van 'n klagte, beskuldiging of bewering wat die onderwerp van 'n  
strafsaak in 'n geregshof uitmaak of waarskynlik sal uitmaak, die  
20 raad die hou van 'n ondersoek kan uitstel totdat daardie saak  
afgehandel is.

Ondersoek deur  
raad na  
beskuldiging van  
wangedrag.

- (2) Wanneer die raad in twyfel verkeer of 'n ondersoek gehou  
behoort te word, kan hy in verband met die betrokke klagte,  
beskuldiging of bewering oorleg pleeg met of inligting inwin van  
25 enige persoon, met inbegrip van die persoon teen wie die klagte,  
beskuldiging of bewering ingedien is.

36. (1) Iemand wat kragtens hierdie Wet geregistreer is wat, na  
die hou van 'n ondersoek in artikel 35 bedoel, skuldig bevind word  
weens onbetaamlike of skandelijke gedrag, of gedrag wat, indien  
30 so iemand se beroep in ag geneem word, onbetaamlik of skandelik  
is, is strafbaar met die een of ander van die volgende strawwe—

Aangeleenthede vir,  
en prosedure by,  
ondersoek deur  
raad.

- (a) 'n waarskuwing of 'n berisping of 'n berisping en 'n  
waarskuwing; of  
35 (b) skorsing vir 'n vasgestelde tydperk in sy praktyk of die  
verrigting van handeling wat spesiaal tot sy beroep  
behoort; of  
(c) skraping van sy naam uit die register; of  
(d) in die geval van 'n student-tandtegnikus, verlenging van  
die voorgeskrewe tydperk van onderrig en opleiding.

- 40 (2) Iemand wie se gedrag ingevolge artikel 35 ondersoek word,  
moet die geleentheid gebied word om, of self of deur sy  
regsvertegenwoordiger, op die beskuldiging te antwoord en sy  
verdediging aan te voer.

- (3) 'n Straf kragtens subartikel (1) opgelê, word op skrif gestel,  
45 deur die president van die raad onderteken en aan die  
voorgeskrewe liggame en persone bekend gemaak, en daarna  
word met daardie geskrif op die voorgeskrewe wyse gehandel.

- (4) (a) Die raad of 'n in artikel 11 (1) (a) bedoelde komitee kan  
vir die doeleindes van 'n ondersoek getuienis afneem en  
kan, onder die handtekening van die president van die  
raad of die voorsitter van bedoelde komitee of die  
50 registrator, 'n getuie dagvaar en die voorlegging van  
enige boek, aantekening, dokument of voorwerp eis, en  
kan, deur die president of so 'n voorsitter, 'n getuie 'n  
55 eed oplê of 'n bevestiging afneem, en kan 'n boek,  
aantekening, dokument of voorwerp ondersoek waarvan  
die voorlegging van 'n getuie vereis is.

- (b) 'n Dagvaarding om as 'n getuie voor die raad of die  
komitee te verskyn of om aan hom 'n boek, aanteken-  
60 ning, dokument of voorwerp voor te lê, moet so na as  
moontlik in die voorgeskrewe vorm wees en moet  
beteken word of deur versending per pos in 'n  
aangetekende brief of op dieselfde wyse as dié  
waarop dit beteken sou gewees het indien dit 'n  
65 getuiedagvaarding was in 'n siviele aangeleentheid in 'n  
landdroshof.



## Act No. 19, 1979

## DENTAL TECHNICIANS ACT, 1979.

- (c) Any person summoned under this subsection shall obey the summons and any person who, having been duly summoned—
- (i) refuses, or without sufficient cause fails, to attend and give evidence relevant to the inquiry at the time and place specified in the summons; 5
  - (ii) refuses to take the oath or to make an affirmation when required by the president of the council or the chairman of the committee concerned to do so;
  - (iii) refuses to produce any book, record, document or thing which he has in terms of the summons been required to produce; or 10
  - (iv) attends before the council or committee but refuses to answer, or to answer fully and satisfactorily to the best of his knowledge and belief, any question lawfully put to him, 15
- shall be guilty of an offence and on conviction liable to a fine not exceeding R100: Provided that a person so summoned shall be entitled to all the privileges to which a witness subpoenaed to give evidence before a provincial division of the Supreme Court is entitled. 20

(5) The president of the council, where the council itself holds an inquiry, or the chairman of a committee of the council, where such committee holds an inquiry under powers delegated to it by the council, shall appoint a person with adequate experience in the administration of justice as an assessor at such an inquiry to advise the council or such committee, as the case may be, on matters of law, procedure or evidence. 25

- (6) The council may on such conditions as it may determine—
- (a) terminate any suspension under subsection (1) before the expiry of the specified period; 30
  - (b) on payment of the prescribed fee, restore to the register any name which has been removed therefrom.

(7) In any case in which the evidence in support of any complaint, charge or allegation is of a documentary nature, and in any other case which the council may think fit, the registrar may act as *pro forma* complainant in terms of this section. 35

Postponement of  
imposition, and  
suspension of  
execution, of  
penalty.

37. (1) Where the council finds a person referred to in section 36 (1) guilty of conduct referred to therein, it may—

- (a) postpone for such period and on such conditions as it may determine, the imposition of a penalty; or 40
  - (b) impose any penalty mentioned in section 36 (1) (b) or (c), but order the execution of the penalty to be suspended for such period and on such conditions as it may determine. 45
- (2) (a) If at the end of the period for which the imposition of a penalty has been postponed in terms of subsection (1) (a), the council is satisfied that the person concerned has observed all the relevant conditions, the council shall inform him that no penalty will be imposed upon him. 50
- (b) If the execution of a penalty has been suspended in terms of subsection (1) (b) and the council is satisfied that the person concerned has observed all the relevant conditions throughout the period of suspension, the council shall inform him that the execution of the penalty will not be put into operation. 55
- (c) If the execution of a penalty has been suspended in terms of subsection (1) (b) and the person concerned fails to observe any of the conditions of suspension, the council shall put the penalty into operation unless such person satisfies the council that the non-observance of the condition in question was due to circumstances beyond his control. 60

## WET OP TANDTEGNICI, 1979.

## Wet No. 19, 1979

- (c) Iemand wat ingevolge hierdie subartikel gedagvaar word, moet aan die dagvaarding gehoor gee en iemand wat, nadat hy behoorlik gedagvaar is—
- 5 (i) weier, of sonder genoegsame rede versuim, om op die in die dagvaarding vermelde tyd en plek aanwesig te wees en by die ondersoek tersaaklike getuienis te lewer;
- 10 (ii) weier om die eed af te lê of om 'n bevestiging te doen wanneer hy deur die president van die raad of die voorsitter van die betrokke komitee daartoe versoek word;
- 15 (iii) weier om 'n boek, aantekening, dokument of voorwerp voor te lê wat hy ingevolge die dagvaarding aangesê is om voor te lê; of
- (iv) voor die raad of die komitee verskyn, maar weier om 'n vraag wettig aan hom gestel, te beantwoord of volledig en bevredigend na sy beste wete en oortuiging te beantwoord,
- 20 is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R100: Met dien verstande dat iemand wat aldus gedagvaar is op al die privilegies geregtig is waarop 'n getuie wat gedagvaar is om voor 'n provinsiale afdeling van die Hooggeregshof getuienis af te lê, geregtig is.
- 25 (5) Die president van die raad, waar die raad self 'n ondersoek hou, of die voorsitter van 'n komitee van die raad, waar so 'n komitee 'n ondersoek hou kragtens bevoegdhede wat deur die raad aan hom gedelegeer is, moet iemand met voldoende ondervinding van die regspleging as assessor by so 'n ondersoek aanstel om die
- 30 raad of so 'n komitee, na gelang van die geval, in verband met regsvrae, prosedure of bewyslewering van advies te dien.
- (6) Die raad kan op die voorwaardes wat hy bepaal—
- (a) 'n skorsing ingevolge subartikel (1) gedoen, voor die verstryking van die vasgestelde tydperk beëindig;
- 35 (b) by betaling van die voorgeskrewe gelde 'n naam op die register terugplaas wat daaruit geskrap is.
- (7) In 'n geval waarin die getuienis ter ondersteuning van 'n klagte, beskuldiging of bewering dokumentêr van aard is, en in enige ander geval wat die raad goedgevind, kan die registrateur
- 40 as *pro forma*-klaer ingevolge hierdie artikel optree.

37. (1) Waar die raad 'n persoon in artikel 36 (1) bedoel, skuldig bevind aan gedrag daarin vermeld, kan hy—
- (a) die oplegging van 'n straf uitstel vir die tydperk en op die voorwaardes wat hy bepaal; of
- 45 (b) 'n straf vermeld in artikel 36 (1) (b) of (c) oplê, maar beveel dat die tenuitvoerlegging van die straf opgeskort word vir die tydperk en op die voorwaardes wat hy bepaal.
- (2) (a) Indien die raad oortuig is, na afloop van die tydperk waarvoor die oplegging van 'n straf ingevolge subartikel (1) (a) uitgestel is, dat die betrokke persoon al die toepaslike voorwaardes nagekom het, moet die raad hom meedeel dat geen straf hom opgelê gaan word nie.
- 50 (b) Indien die tenuitvoerlegging van 'n straf ingevolge subartikel (1) (b) opgeskort is en die raad oortuig is dat die betrokke persoon gedurende die hele tydperk van die opskorting al die toepaslike voorwaardes nagekom het, moet die raad hom meedeel dat die tenuitvoerlegging van die straf nie in werking gestel sal word nie.
- 55 (c) Indien die tenuitvoerlegging van 'n straf opgeskort is ingevolge subartikel (1) (b) en die betrokke persoon versuim om enige van die voorwaardes van opskorting na te kom, moet die raad die straf ten uitvoer lê tensy sodanige persoon die raad oortuig dat die nie-nakoming van die betrokke voorwaarde te wyte was aan omstandighede buite sy beheer.
- 60
- 65

Uitstel van oplegging, en opskorting van tenuitvoerlegging, van straf.

## Act No. 19, 1979

## DENTAL TECHNICIANS ACT, 1979.

Effect of  
suspension, or  
removal from  
register.

38. Any person who has been suspended or whose name has been removed from the register in terms of section 36 shall, if his profession is one which cannot be lawfully carried on under this Act by a person who is not registered, be disqualified from carrying on his profession, and his registration certificate shall be deemed to be withdrawn, until the period of suspension has expired or until his name has been restored to the register by the council. 5

Cognizance by  
council of conduct  
of registered  
persons under  
certain  
circumstances.

39. (1) Any registered person who, either before or after registration, is convicted of any offence by a court of law in the Republic or elsewhere, may be dealt with by the council in terms of the provisions of this Chapter if the council is of the opinion that such offence constitutes conduct referred to in section 36 (1), and such person shall, upon proof of the conviction, be liable to one or other of the penalties referred to in that section: Provided 15 that such person shall, before any penalty is imposed, be afforded an opportunity of tendering an explanation to the council in extenuation of the conduct in question.

(2) Whenever in the course of any criminal proceedings it appears to the court that there is *prima facie* proof of conduct referred to in section 36 (1) on the part of a registered person, the court shall direct that a copy of the record of such proceedings, or such portion thereof as is material to the conduct, be transmitted to the council.

Penalty for false  
evidence.

40. Any person who gives false evidence on oath or affirmation at an inquiry held under this Chapter, knowing such evidence to be false, shall be guilty of an offence and liable on conviction to the penalties applicable in respect of the crime of perjury. 25

Limitation of  
liability.

41. Save as provided in this Act the council or a committee of the council or any member or officer thereof shall not be liable in respect of any act done in good faith or duty performed in accordance with this Chapter.

Acts or omissions  
in respect of which  
disciplinary action  
may be taken.

42. The Minister shall from time to time, on the recommendation of the council, by notice in the *Gazette* specify the acts or omissions in respect of which the council may take disciplinary action under this Chapter: Provided that the powers of the council to inquire into and deal with any complaint, charge or allegation under this Chapter, shall not be limited to the acts or omissions so specified. 35

Restriction in, or  
suspension from,  
practice of  
registered person.

43. (1) Whenever it appears to the council that any registered person— 40

(a) has become mentally or physically disabled to such an extent that it would be detrimental to the public interest to allow him to continue to practise; or

(b) has become addicted to the use of any scheduled substance, 45

the council shall cause the matter to be investigated and may, if it deems it necessary, hold an inquiry, *mutatis mutandis*, in accordance with the provisions of section 35 and the regulations in respect of such a person. 50

(2) If the council, after holding an inquiry under subsection (1), finds that any circumstance contemplated in subsection (1) exists in respect of the person concerned, it may by order—

(a) suspend such person for a specified period from practising his profession or performing any act specially pertaining to his profession; or 55

(b) impose such conditions as it may deem fit subject to which such person shall be entitled to continue practising his profession.

(3) The council may extend for any period the period of operation of any order made under subsection (2), or withdraw or in any other manner amend such order.

(4) The provisions of section 38 shall *mutatis mutandis* apply in respect of any person who has been suspended in terms of any provision of subsection (2). 65

## WET OP TANDTEGNICI, 1979.

## Wet No. 19, 1979

38. Iemand wat geskors is of wie se naam uit die register geskrap is ingevolge artikel 36 is, indien sy beroep een is wat nie wettig kragtens hierdie Wet deur 'n persoon beoefen kan word wat nie geregistreer is nie, onbevoeg om sy beroep te beoefen, en sy 5 registrasiesertifikaat word geag ingetrek te wees, totdat die tydperk van skorsing verstryk het of totdat sy naam deur die raad op die register teruggeplaas is.

Gevolg van skorsing, of skrapping uit register.

39. (1) Daar kan ingevolge die bepalings van hierdie Hoofstuk deur die raad opgetree word teen 'n geregistreerde persoon wat 10 hetsy voor of na registrasie, deur 'n geregshof in die Republiek of elders aan 'n misdryf skuldig bevind word, indien die raad van oordeel is dat daardie misdryf gedrag uitmaak soos in artikel 36 (1) bedoel, en so 'n persoon is, by bewys van die skuldigbevinding, strafbaar met die een of ander van die strawwe bedoel in daardie 15 artikel: Met dien verstande dat so 'n persoon voordat 'n straf opgelê word die geleentheid gebied moet word om aan die raad 'n verduideliking te verstrek ter verontskuldiging van die betrokke gedrag.

Kennisname deur raad van gedrag van geregistreerde persone onder sekere omstandighede.

(2) Wanneer dit in die loop van strafregtelike verrigtinge aan die 20 hof blyk dat daar *prima facie*-bewys is van die in artikel 36 (1) bedoelde gedrag van die kant van 'n geregistreerde persoon, gelas die hof dat 'n afskrif van die oorkonde van die verrigtinge, of dié gedeelte daarvan wat by die gedrag ter sake is, aan die raad deurgestuurd word.

25 40. Iemand wat by 'n ondersoek wat kragtens hierdie Hoofstuk gehou word valse getuienis onder eed of bevestiging aflê met die wete dat daardie getuienis vals is, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met die strawwe wat ten opsigte van die misdryf meeneed van toepassing is.

Straf vir valse getuienis.

30 41. Behoudens die bepalings van hierdie Wet is die raad of 'n komitee van die raad of 'n lid of beampte daarvan nie aanspreeklik ten opsigte van 'n handeling te goeder trou verrig of plig uitgevoer ooreenkomstig hierdie Hoofstuk nie.

Beperking van aanspreeklikheid.

35 42. Die Minister moet van tyd tot tyd, op aanbeveling van die raad, by kennisgewing in die *Staatskoerant* die handeling of versuime bepaal ten opsigte waarvan die raad tugstappe kragtens hierdie Hoofstuk kan doen: Met dien verstande dat die bevoegd- hede van die raad om kragtens hierdie Hoofstuk ondersoek in te stel na en stappe te doen ten opsigte van 'n klagte, beskuldiging of 40 bewering, nie beperk is tot die handeling of versuime aldus bepaal nie.

Handelinge of versuime ten opsigte waarvan tugstappe gedoen kan word.

43. (1) Wanneer dit aan die raad blyk dat 'n geregistreerde persoon—

Beperking van praktyk, of skorsing, van geregistreerde persoon.

45 (a) verstandelik of liggaamlik in so 'n mate onbekwaam geword het dat dit vir die openbare belang nadelig sou wees om hom toe te laat om sy praktyk voort te sit; of (b) aan die gebruik van 'n gelyste stof verslaaf geraak het, moet die raad die saak laat ondersoek en kan hy, indien hy dit nodig ag, 'n ondersoek *mutatis mutandis* ooreenkomstig die bepalings 50 van artikel 35 en die regulasies ten opsigte van so 'n persoon hou.

(2) Indien die raad, nadat hy 'n ondersoek kragtens subartikel (1) gehou het, bevind dat enige omstandigheid beoog in subartikel (1) ten opsigte van die betrokke persoon bestaan, kan hy by bevel—

55 (a) daardie persoon vir 'n vasgestelde tydperk skors in die beoefening van sy beroep of die verrigting van 'n handeling wat spesiaal tot sy beroep behoort; of (b) die voorwaardes oplê wat hy goetvind onderworpe waaraan daardie persoon geregtig sal wees om voort te gaan met die beoefening van sy beroep.

60 (3) Die raad kan die geldingsduur van 'n bevel wat hy kragtens subartikel (2) uitgereik het, vir enige tydperk verleng of so 'n bevel intrek of op enige ander manier wysig.

(4) Die bepalings van artikel 38 is *mutatis mutandis* van 65 toepassing ten opsigte van 'n persoon wat ingevolge 'n bepaling van subartikel (2) geskors is.



## Act No. 19, 1979

## DENTAL TECHNICIANS ACT, 1979.

(5) Any registered person who contravenes or fails to comply with any order made under subsection (2), shall be guilty of an offence and on conviction liable to a fine not exceeding R100.

## CHAPTER 5

## GENERAL AND SUPPLEMENTARY PROVISIONS

5

Penalty for false representation inducing registration, for false entries in register and for impersonation.

## 44. Any person who—

- (a) procures for himself or any other person registration under this Act, or any certificate, permit or receipt referred to in this Act, by means of a false representation, whether verbally or in writing; 10
- (b) makes any unauthorized entry or alteration in or removal from a register or certified copy thereof or extract therefrom or on any certificate, permit or receipt issued under this Act;
- (c) wilfully destroys or damages or renders illegible any 15 entry in the register or, without the permission of the holder thereof, any certificate, permit or receipt issued under this Act;
- (d) forges or, knowing it to be forged, utters any document purporting to be a certificate, permit or receipt issued 20 under this Act;
- (e) impersonates any person registered in terms of this Act; or
- (f) makes a false declaration on any identification envelope issued in connection with an election contemplated in 25 section 5 (1) (c), (d) or (e),

shall be guilty of an offence and liable on conviction to a fine not exceeding R1 000 or to imprisonment for a period not exceeding two years or to both such fine and such imprisonment.

Presumptions.

45. (1) In any criminal proceedings against any person 30 appearing upon a charge of having performed any act which constitutes an offence under this Act if performed by a person who is not registered or who is not in possession of any document specified in the charge, the accused shall be deemed not to have been registered or not to have been in possession of such document at 35 the time of the commission of the alleged offence unless the accused proves the contrary.

(2) In any criminal proceedings against any person appearing upon a charge of having performed an act which constitutes an offence under this Act if performed by him for gain, such person 40 shall be deemed to have performed such act for gain if he has accepted any valuable consideration in respect of such act.

Limitations in respect of persons not registered.

46. (1) No remuneration shall be recoverable in respect of any act specially pertaining to the profession of a registered person when performed by a person who is not authorized under this Act 45 to perform such act for gain.

(2) No person, other than a registered person, shall be eligible for or entitled to hold any appointment if such appointment involves the performance of any act which a person who is not registered may in terms of the provisions of this Act not perform 50 for gain: Provided that nothing in this subsection contained shall be construed as prohibiting the education and training of any student in dental technology, or the employment of any student dental technician in any authorized dental laboratory with a view to registration under section 18. 55

Penalties.

47. (1) Any person who contravenes any provision of this Act or who fails to comply with any such provision with which it is his duty to comply, shall, even where such contravention or failure is not elsewhere declared an offence, be guilty of an offence. 60

(2) Any person guilty of an offence under this Act shall, where no punishment is expressly provided for such offence, be liable on



## WET OP TANDTEGNICI, 1979.

## Wet No. 19, 1979

(5) 'n Geregistreerde persoon wat 'n bevel kragtens subartikel (2) gegee, oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R100.

5

## HOOFSTUK 5

## ALGEMENE EN AANVULLENDE BEPALINGS

## 44. Iemand wat—

- (a) deur middel van 'n valse voorstelling, hetsy mondeling of skriftelik, sy eie of iemand anders se registrasie kragtens hierdie Wet, of 'n sertifikaat, permit of kwitansie bedoel in hierdie Wet, verkry;
- (b) 'n ongemagtigde inskrywing of verandering in of skraping uit 'n register of 'n gesertifiseerde afskrif daarvan of uittreksel daaruit of op 'n kragtens hierdie Wet uitgereikte sertifikaat, permit of kwitansie maak;
- (c) 'n inskrywing in die register of, sonder die toestemming van die besitter daarvan, 'n sertifikaat, permit of kwitansie kragtens hierdie Wet uitgereik, opsetlik vernietig of beskadig of onleesbaar maak;
- (d) 'n dokument wat 'n kragtens hierdie Wet uitgereikte sertifikaat, permit of kwitansie heet te wees, vervals of, wetende dat dit vervals is, uitgee;
- (e) iemand wat kragtens hierdie Wet geregistreer is, personeer; of
- (f) 'n vals verklaring affê op 'n identifikasiekovert uitgereik in verband met 'n verkiesing beoog in artikel 5 (1) (c), (d) of (e),

Straf vir vals voorstelling wat aanleiding gee tot registrasie, vir vals inskrywings in register en vir identiteitsbedrog.

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R1 000 of gevangenisstraf vir 'n tydperk van hoogstens twee jaar of met daardie boete sowel as daardie gevangenisstraf.

45. (1) In 'n strafsak teen iemand wat verskyn op 'n aanklag dat hy 'n handeling verrig het wat 'n misdryf kragtens hierdie Wet uitmaak indien verrig deur iemand wat nie geregistreer is nie of wat nie in besit is nie van 'n dokument in die aanklag vermeld, word die beskuldigde geag nie ten tyde van die pleging van die beweerde misdryf geregistreer of in besit van bedoelde dokument te gewees het nie, tensy die beskuldigde die teendeel bewys.

Vermoedens.

(2) In 'n strafsak teen iemand wat verskyn op 'n aanklag dat hy 'n handeling verrig het wat 'n misdryf kragtens hierdie Wet uitmaak indien deur hom vir wins verrig, word daardie persoon geag daardie handeling vir wins te verrig het indien hy enige teenprestasie ten opsigte van daardie handeling aanvaar het.

46. (1) Geen vergoeding kan ten opsigte van 'n handeling wat spesiaal tot die beroep van 'n geregistreerde persoon behoort, verhaal word nie indien dit verrig word deur iemand wat nie kragtens hierdie Wet gemagtig is om so 'n handeling vir wins te verrig nie.

Beperkings ten opsigte van persone wat nie geregistreer is nie.

(2) Niemand behalwe 'n geregistreerde persoon is vir 'n amp benoembaar of geregtig om 'n amp te beklee indien daardie amp die verrigting van 'n handeling behels wat iemand wat nie geregistreer is nie, nie ingevolge die bepalings van hierdie Wet vir wins mag verrig nie: Met dien verstande dat die bepalings van hierdie subartikel nie so uitgelê word dat dit die onderrig en opleiding van 'n student in tandtegnologie, of die indiensneming en indienshouding van 'n student-tandtegnikus in enige goedgekeurde laboratorium vir tandkundige werk met die oog op registrasie ingevolge artikel 18, belet nie.

47. (1) Enigiemand wat 'n bepaling van hierdie Wet oortree of wat versuim om aan enige sodanige bepaling te voldoen waaraan hy verplig is om te voldoen, is, selfs waar sodanige oortreding of versuim nie elders tot 'n misdryf verklaar is nie, aan 'n misdryf skuldig.

Strawwe.

(2) Enigiemand wat aan 'n misdryf ingevolge hierdie Wet skuldig is, is, waar geen straf uitdruklik vir die misdryf bepaal is

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conviction to a fine not exceeding R200 or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

(3) Any person who—

- (a) contravenes or fails to comply with the provisions of section 27, 28, 29, 30 or 33;
- (b) contravenes or fails to comply with any condition of a permit issued under section 33;
- (c) (i) hinders or obstructs an inspector in the exercise of his powers or the performance of his duties under section 31;
- (ii) without valid excuse refuses or fails to answer to the best of his ability any question which an inspector in the exercise of his powers or the performance of his duties under the said section has put to him;
- (iii) refuses or fails to comply to the best of his ability with any requirement made by an inspector in the exercise of his powers or the performance of his duties under the said section;
- (iv) wilfully furnishes to any inspector any information which is false or misleading;
- (v) falsely holds himself out to be an inspector;
- (d) contravenes or fails to comply with any determination made in terms of section 12,

shall be guilty of an offence and liable on conviction to a fine not exceeding R500 or to imprisonment for a period not exceeding twelve months or to both such fine and such imprisonment.

(4) Any person who contravenes or fails to comply with the provisions of section 32 or 34 shall be guilty of an offence and liable on conviction to a fine not exceeding R300 or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

## Forfeiture.

48. The court convicting any person of a contravention of section 27, 29, 30 or 33 or of a failure to comply with the conditions of a permit issued under section 33 (3), may declare any unmounted artificial teeth in connection with which the contravention has taken place, or any material or equipment used for the purposes of or in connection with the contravention, to be forfeited to the State, and such teeth, material or equipment may thereupon be sold or otherwise disposed of as the Secretary may direct.

## Annual fees payable to council.

49. (1) (a) The Minister may on the recommendation of the council at any time by notice in the *Gazette* fix a fee to be paid annually to the council by every dentist and every dental technician.
- (b) Different fees may be fixed in respect of dentists and dental technicians.

(2) If any person liable to pay any annual fee fixed in terms of subsection (1), fails to pay such fee within the period specified in the notice in question, the council may recover such fee by action in a competent court.

(3) If a person's name has been removed from the register in terms of the provisions of section 24 (1) (c), such person's name shall not be restored to the register unless he has paid any annual fees which may be payable by him.

(4) The council may by resolution exempt for an indefinite or definite period any dentist or dental technician specified in the resolution from payment of any annual fee prescribed in terms of subsection (1).

## Regulations.

50. (1) The Minister may on the recommendation of the council make regulations relating to—

- (a) (i) the election of members of the council who shall be elected in terms of section 5 (1) (c), (d) or (e);

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nie, by skuldigbevinding strafbaar met 'n boete van hoogstens R200 of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met daardie boete sowel as daardie gevangenisstraf.

(3) Iemand wat—

- 5 (a) die bepalinge van artikel 27, 28, 29, 30 of 33 oortree of versuim om daaraan te voldoen;
  - (b) 'n voorwaarde van 'n permit kragtens artikel 33 uitgereik, oortree of versuim om daaraan te voldoen;
  - 10 (c) (i) 'n inspekteur by die uitoefening van sy bevoegdhede of die verrigting van sy werksaamhede kragtens artikel 31 hinder of belemmer;
  - (ii) sonder 'n geldige verskoning weier of versuim om 'n vraag wat 'n inspekteur by die uitoefening van sy bevoegdhede of die verrigting van sy werksaamhede kragtens gemelde artikel aan hom gestel het, na sy beste vermoë te beantwoord;
  - 15 (iii) weier of versuim om na sy beste vermoë aan 'n vereiste deur 'n inspekteur by die uitoefening van sy bevoegdhede of die verrigting van sy werksaamhede kragtens gemelde artikel gestel, te voldoen;
  - 20 (iv) opsetlik aan 'n inspekteur inligting verstrek wat vals of misleidend is;
  - (v) valslik voorgee dat hy 'n inspekteur is;
  - 25 (d) 'n bepaling gemaak ingevolge artikel 12 oortree of versuim om daaraan te voldoen,
- is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R500 of met gevangenisstraf vir 'n tydperk van hoogstens twaalf maande of met daardie boete sowel as daardie gevangenisstraf.

- 30 (4) Iemand wat die bepalinge van artikel 32 of 34 oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R300 of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met daardie boete sowel as daardie gevangenisstraf.

- 35 48. Die hof wat iemand skuldig bevind aan 'n oortreding van artikel 27, 29, 30 of 33, of aan 'n versuim om aan die Verbeurdverklaring.  
voorwaardes van 'n permit kragtens artikel 33 (3) uitgereik, te voldoen, kan enige ongemonteerde kunstande in verband waarmee die misdryf plaasgevind het, of 'n stof of toerusting wat vir die doeleindes van of in verband met die oortreding gebruik is, aan 40 die Staat verbeurd verklaar, en sodanige tande of stof of toerusting kan dan verkoop of andersins van die hand gesit word soos die Sekretaris gelas.

- 45 49. (1) (a) Die Minister kan op aanbeveling van die raad te Jaarlikse gelde  
eniger tyd by kennisgewing in die *Staatskoerant* die betaalbaar aan raad.  
gelde vasstel wat jaarliks aan die raad betaal moet word deur elke tandarts en elke tandtegnikus.
- (b) Verskillende gelde kan ten opsigte van tandartse en tandtegnici vasgestel word.

- 50 (2) Indien iemand wat verplig is om jaarlikse gelde wat ingevolge subartikel (1) vasgestel is, te betaal, versuim om sodanige gelde te betaal binne die tydperk in die betrokke kennisgewing vermeld, kan die raad sodanige gelde by wyse van aksie in 'n bevoegde hof verhaal.

- 55 (3) Indien iemand se naam ingevolge die bepalinge van artikel 24 (1) (c) uit die register geskrap is, word so iemand se naam nie op die register teruggeplaas nie tensy hy enige jaarlikse gelde wat deur hom betaalbaar mag wees, betaal het.

- (4) Die raad kan, by besluit, vir 'n onbepaalde of bepaalde tyd 60 'n in die besluit vermelde tandarts of tandtegnikus vrystel van betaling van die ingevolge subartikel (1) voorgeskrewe jaarlikse gelde.

50. (1) Die Minister kan op aanbeveling van die raad regulasies Regulasies.  
uitvaardig betreffende—

- 65 (a) (i) die verkiesing van lede van die raad wat ingevolge artikel 5 (1) (c), (d) of (e) verkies moet word;

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- (ii) the requirements with which a nomination of a candidate for election as a member of the council shall comply;
- (b) the conduct of the business, and the procedure at meetings, of the council and committees of the council and the manner in which minutes of such meetings shall be kept; 5
- (c) the allowance which may be paid to members of the council and of committees of the council when occupied with the affairs of the council: Provided that— 10
  - (i) the allowance which may be paid to any such member who is in the full-time service of the State shall not exceed the allowances to which he would be entitled in terms of the laws governing the public service; 15
  - (ii) no such member shall be required to pay into the State Revenue Fund any such allowances;
- (d) the conditions of employment of the registrar and other persons and inspectors appointed by the council in terms of sections 13 (1) and 31; 20
- (e) the determination and payment of annual fees payable by the owner of a dental laboratory and any other prescribed fees;
- (f)
  - (i) the registration by the council of students in dental technology who are studying at an approved institution, the fees payable in respect of such registration and the removal from the relative registers by the council of the names of such students so registered; 25
  - (ii) the standards of general education required of such students as a prerequisite for such registration; 30
  - (iii) the duration of the curricula to be followed by such students at such institutions;
  - (iv) the minimum requirements of the curricula and the standards of education and examinations in dental technology which shall be maintained at any institution approved by the council for training in dental technology in order to obtain recognition under this Act of the qualifications in dental technology obtained at such institution; 35 40
- (g)
  - (i) the nature and duration of the training to be undergone by any person who has obtained a qualification in dental technology prescribed under section 22, but who has not yet registered as a dental technician, the examination which the council may conduct in order to determine the competence of such a person and the period within which such a person shall pass the examination before he may be registered as a dental technician; 45
  - (ii) the registration by the council of persons undergoing such training and the fees payable in respect of such registration; 50
  - (iii) the fees payable by candidates for such examinations;
  - (iv) the appointment and remuneration of examiners for such examinations; 55
  - (v) the issue of certificates by the council, and any other matter connected with such examinations or the issue of such certificates;
- (h)
  - (i) the registers to be kept, and the permits and certificates that may be issued, in terms of this Act, the particulars which shall be recorded in the registers and the manner in which alterations may be effected in the registers; 60
  - (ii) the conditions on which extracts from the registers and duplicate registration certificates may be made, including the payment of fees in respect thereof; 65

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- (ii) die vereistes waaraan 'n nominasie van 'n kandidaat vir verkiesing as 'n lid van die raad moet voldoen;
- 5 (b) die verrigting van die sake, en die prosedure by vergaderings, van die raad en komitees van die raad en die wyse waarop notule van sodanige vergaderings gehou moet word;
- 10 (c) die toelae wat aan lede van die raad en van komitees van die raad betaal kan word wanneer hulle met sake van die raad besig is: Met dien verstande dat—
- (i) die toelae wat betaal mag word aan so 'n lid wat in die heeltydse diens van die Staat is, nie die toelae mag oorskry waarop hy ingevolge die wette op die staatsdiens geregtig sou wees nie;
- 15 (ii) so 'n lid nie verplig is om enige sodanige toelae in die Staatsinkomstefonds te stort nie;
- (d) die diensvoorwaardes van die registrateur en ander persone en inspekteurs deur die raad ingevolge artikels 13 (1) en 31 aangestel;
- 20 (e) die bepaling en betaling van jaarlikse gelde betaalbaar deur die eienaar van 'n laboratorium vir tandkundige werk en enige ander voorgeskrewe gelde;
- (f) (i) die registrasie deur die raad van studente in tandtegnologie wat aan 'n goedgekeurde inrigting studeer, die gelde betaalbaar ten opsigte van sodanige registrasie en die skraping deur die raad uit die betrokke registers van die name van sodanige studente wat aldus geregistreer is;
- 25 (ii) die standaarde van algemene onderrig wat van sodanige studente vereis word as voorvereiste vir sodanige registrasie;
- 30 (iii) die duur van leerplanne wat deur sodanige studente aan sodanige inrigtings gevolg moet word;
- 35 (iv) die minimum vereistes van die leerplanne en standaarde van onderrig en eksamens in tandtegnologie wat aan enige inrigting deur die raad goedgekeur vir die opleiding in tandtegnologie, gehandhaaf moet word ten einde kragtens hierdie Wet erkenning te verkry van die kwalifikasies in tandtegnologie wat aan so 'n inrigting verwerf word;
- 40 (g) (i) die aard en duur van die opleiding wat ondergaan moet word deur iemand wat 'n kragtens artikel 22 voorgeskrewe kwalifikasie in tandtegnologie verwerf het, maar wat nog nie as 'n tandtegnikus geregistreer is nie, die eksamen wat die raad kan afneem ten einde die bevoegdheid van sodanige persoon te bepaal, en die tydperk waarbinne so 'n persoon in sodanige eksamen moet slaag, alvorens hy as 'n tandtegnikus geregistreer kan word;
- 45 (ii) die registrasie deur die raad van persone wat sodanige opleiding ondergaan en die gelde betaalbaar ten opsigte van sodanige registrasie;
- 50 (iii) die gelde betaalbaar deur kandidate vir sodanige eksamens;
- 55 (iv) die aanstelling en besoldiging van eksaminatore vir sodanige eksamens;
- (v) die uitreiking van sertifikate deur die raad, en enige ander aangeleentheid wat in verband staan met sodanige eksamens of die uitreiking van sodanige sertifikate;
- 60 (h) (i) die registers wat ingevolge hierdie Wet gehou moet word en die permitte en sertifikate wat daarkragtens uitgereik kan word, die besonderhede wat in die registers aangeteken moet word en die wyse waarop veranderings in die registers aangebring kan word;
- 65 (ii) die voorwaardes waarop uittreksels uit die registers en duplikaat-registrasiesertifikate gemaak kan word, met inbegrip van die betaling van gelde ten opsigte daarvan;



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- (iii) the particulars to be furnished to the council to enable it to keep the registers;
- (iv) the form of the registers and of the certificates and permits which may be issued under this Act and the employees of the council who may issue such certificates or permits on instructions of the council; 5
- (v) the forms to be completed and the documents to be submitted by applicants for registration or for restoration to the registers; 10
- (i) (i) the approval by the council of registered dental laboratories where persons may undergo practical training in dental technology and the accommodation, facilities, equipment and materials to be provided in such laboratories; 15
- (ii) the information to be rendered to the council by the person in control of such laboratories in respect of persons being trained at such laboratories or who have completed or abandoned such training;
- (j) (i) the qualifications required of candidates for supplementary courses or any other courses and examinations conducted or arranged by the council; 20
- (ii) the conditions subject to which candidates may be permitted to such courses or examinations, the fees payable by candidates, the appointment and remuneration of lecturers and examiners and any other matter incidental to such courses or examinations; 25
- (k) the conduct of an inquiry under Chapter 4, including—
  - (i) the manner in which a complaint, charge or allegation against a registered person shall be lodged; 30
  - (ii) the form of a summons and subpoena for the attendance of the registered person whose conduct is being investigated or of a witness at an inquiry, or for the production of any book, record, document or thing; and 35
  - (iii) the manner of instituting, and the procedure to be followed at, an inquiry, the appointment of a *pro forma* prosecutor and any other matter connected with the institution or holding of an inquiry; 40
- (l) the acts which shall for the purpose of this Act be deemed to be acts specially pertaining to the profession of a dental technician, the scope of the employment of other registered persons, and the conditions under which registered persons may practise their professions; 45
- (m) the manner in which the accounts of the council shall be kept;
- (n) the circumstances, in addition to the circumstances referred to in this Act, in which any name may be removed from, or restored to, a register; 50
- (o) the books, accounts and records to be kept and the particulars to be entered therein by—
  - (i) an employer of a dental technician, student dental technician and dental laboratory assistant; and 55
  - (ii) a dental technician contractor in respect of work done as a dental technician for any dentist;
- (p) (i) the form in which and the conditions subject to which permits may be issued under section 33 (3) and the fees payable for such permits; 60
- (ii) the form in which the register referred to in section 34 shall be kept and the particulars which shall be entered in such register, and

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- (iii) die besonderhede wat aan die raad verstrekk moet word om hom in staat te stel om die registers te hou;
- 5 (iv) die vorm van die registers en van die sertifikate en permitte wat kragtens hierdie Wet uitgereik kan word en die werknemers van die raad wat sodanige sertifikate of permitte in opdrag van die raad mag uitreik;
- 10 (v) die vorms wat ingevul moet word en die dokumente wat voorgelê moet word deur aansoekers om registrasie of om terugplasing op die register;
- (i) (i) die goedkeuring deur die raad van geregistreerde laboratoriums vir tandkundige werk waar persone praktiese opleiding in tandtegnologie mag ondergaan en die akkommodasie, fasiliteite, toerusting en materiale wat in sodanige laboratoriums verskaf moet word;
- 15 (ii) die inligting wat die persoon in beheer van sodanige laboratoriums aan die raad moet verskaf betreffende persone wat by sodanige laboratoriums opgelei word of wat sodanige opleiding voltooi het of gestaak het;
- 20 (j) (i) die kwalifikasies wat van kandidate verlang word vir aanvullende kursusse en enige ander kursusse en eksamens deur die raad afgeneem of gereël;
- 25 (ii) die voorwaardes waaronder kandidate toegelaat kan word tot sodanige kursusse of eksamens, die gelde betaalbaar deur kandidate, die aanstelling en vergoeding van lektore en eksaminatore en enige ander aangeleentheid bykomstig by sodanige kursusse of eksamens;
- 30 (k) die instelling van 'n ondersoek ingevolge Hoofstuk 4, met inbegrip van—
- 35 (i) die wyse waarop 'n klagte, beskuldiging of bewering teen 'n geregistreerde persoon ingedien moet word;
- (ii) die vorm van 'n dagvaarding en getuiedagvaarding vir die verskyning van die geregistreerde persoon wie se gedrag ondersoek word of van 'n getuie by 'n ondersoek, of vir die voorlegging van 'n boek, aantekening, dokument of voorwerp; en
- 40 (iii) die wyse waarop 'n ondersoek ingestel moet word, die prosedure wat daarby gevolg moet word, die aanstelling van 'n *pro forma*-aanklaer en enige ander aangeleentheid wat met die instel of hou van 'n ondersoek in verband staan;
- 45 (l) die handeling wat by die toepassing van hierdie Wet geag word handeling te wees wat spesiaal tot die beroep van tandtegnikus behoort, die bestek van die diensbetrekking van ander geregistreerde persone, en die voorwaardes waaronder geregistreerde persone hulle beroepe mag beoefen;
- 50 (m) die wyse waarop rekening van die raad gehou moet word;
- 55 (n) die omstandighede, benewens die omstandighede in hierdie Wet genoem, waaronder 'n naam uit 'n register geskrap of daarop teruggeplaas kan word;
- (o) die boeke, rekening en aantekeninge wat bygehou moet word en die besonderhede wat daarin aangeteken moet word deur—
- 60 (i) 'n werkgewer van 'n tandtegnikus, student-tandtegnikus en tandkundige laboratorium-assistent; en
- (ii) 'n tandtegnikus-kontrakteur ten opsigte van werk vir 'n tandarts as 'n tandtegnikus gedoen;
- 65 (p) (i) die vorm waarin en die voorwaardes waarop permitte kragtens artikel 33 (3) uitgereik mag word en die gelde vir sodanige permitte betaalbaar;
- (ii) die vorm waarin die in artikel 34 bedoelde register gehou moet word en die besonderhede wat daarin opgeteken moet word; en

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generally, any matter which in terms of this Act is required to be, or may be, prescribed or which the Minister considers necessary or expedient to prescribe in order that the purposes of this Act may be achieved.

(2) The Minister may, after consultation with the executive committee of the council, if he deems it in the public interest, without the recommendation of the council make regulations relating to any of the matters referred to in subsection (1), or amend or repeal any regulation made in terms of that subsection.

(3) Any regulation made under this section may prescribe penalties for any contravention thereof or failure to comply therewith, not exceeding a fine of R100.

(4) Any notice issued or order made under this Act may from time to time be amended or revoked by the authority which issued or made it.

## Repeal of laws.

51. (1) Subject to the provisions of subsection (2), the Dental Mechanics Act, 1945 (Act No. 30 of 1945), the Dental Mechanics Amendment Act, 1947 (Act No. 33 of 1947), the Dental Mechanics Amendment Act, 1954 (Act No. 8 of 1954), the Dental Mechanics Amendment Act, 1972 (Act No. 43 of 20 1972), and the Dental Mechanics Amendment Act, 1976 (Act No. 17 of 1976), are hereby repealed.

(2) Any proclamation, notice, regulation, rule, authorization or order issued, made or granted, or any registration, removal from a register, appointment or any other thing done, in terms of a provision of any Act repealed by subsection (1), shall be deemed to have been issued, made, granted or done under the corresponding provision of this Act.

(3) Any person registered under the Dental Mechanics Act, 1945, as a dental mechanic and whose registration as such was immediately before the commencement of this Act still in force, shall for the purposes of this Act be deemed to be registered as a dental technician in terms of section 18 of this Act.

(4) The members of the council as constituted immediately prior to the commencement of this Act shall continue to be members thereof, and the council shall be deemed to be duly constituted in terms of this Act, until a date determined by the Minister and published in the *Gazette*.

(5) If any member referred to in subsection (3) vacates his office the council shall, until the date referred to in that subsection, consist of the remaining members.

## Short title and commencement.

52. This Act shall be called the Dental Technicians Act, 1979, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.

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oor die algemeen, enige aangeleentheid wat ingevolge hierdie Wet voorgeskryf moet of kan word of wat die Minister nodig of dienstig ag om voor te skryf ten einde die oogmerke van hierdie Wet te verwesenlik.

5 (2) Die Minister kan, na oorlegpleging met die uitvoerende komitee van die raad, indien hy dit in die openbare belang ag, sonder die aanbeveling van die raad regulasies uitvaardig betreffende enige van die aangeleenthede in subartikel (1) bedoel, of enige regulasie wysig of herroep wat ingevolge daardie  
10 subartikel uitgevaardig is.

(3) 'n Regulasie ingevolge hierdie artikel uitgevaardig, kan vir 'n oortreding daarvan of versuim om dit na te kom, strawwe van 'n boete van hoogstens R100 voorskryf.

(4) 'n Kennisgewing uitgereik of 'n bevel gegee kragtens  
15 hierdie Wet kan van tyd tot tyd gewysig of ingetrek word deur die gesag wat dit uitgereik of gegee het.

51. (1) Behoudens die bepalings van subartikel (2) word die Wet op Tandwerktuigkundiges, 1945 (Wet No. 30 van 1945), die Wysigingswet op Tandwerktuigkundiges, 1947 (Wet No. 33 van 20 1947), die Wysigingswet op Tandwerktuigkundiges, 1954 (Wet No. 8 van 1954), die Wysigingswet op Tandwerktuigkundiges, 1972 (Wet No. 43 van 1972), en die Wysigingswet op Tandwerktuigkundiges, 1976 (Wet No. 17 van 1976), hierby herroep. Herroeping van wette.

(2) 'n Proklamasie, kennisgewing, regulasie, reël, magtiging of bevel uitgevaardig, uitgereik, verleen of gegee, of 'n registrasie, skrapping uit 'n register, aanstelling of enigiets anders gedoen, ingevolge 'n bepaling van 'n Wet by subartikel (1) herroep, word  
25 geag kragtens die ooreenstemmende bepaling van hierdie Wet uitgereik, uitgevaardig, verleen, gegee of gedoen te gewees het.

(3) Enige persoon wat ingevolge die Wet op Tandwerktuigkundiges, 1945, as tandwerktuigkundige geregistreer is en wie se registrasie as sodanig onmiddellik voor die inwerkingtreding van hierdie Wet nog van krag was, word by die toepassing van hierdie  
30 Wet geag ingevolge artikel 18 as tandtegnikus geregistreer te wees.

(4) Die lede van die raad soos saamgestel onmiddellik voor die inwerkingtreding van hierdie Wet bly lede daarvan, en die raad word geag behoorlik saamgestel te wees ingevolge hierdie Wet, tot 'n datum deur die Minister bepaal en in die *Staatskoerant*  
40 bekend gemaak.

(5) Indien 'n lid in subartikel (3) bedoel sy amp ontruim, bestaan die raad, tot die datum in daardie subartikel bedoel, uit die oorblywende lede.

52. Hierdie Wet heet die Wet op Tandtegnici, 1979, en tree in  
45 werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal. Kort titel en inwerkingtreding.

