ANCILLARY DENTAL WORKERS (JERSEY) REGULATIONS 1974

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ANCILLARY DENTAL WORKERS (JERSEY) REGULATIONS 1974

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ANCILLARY DENTAL WORKERS (JERSEY) REGULATIONS 1974

THE STATES, in pursuance of Articles 10 and 11 of the Dentists (Registration) (Jersey) Law 1961, have made the following Regulations –

Commencement [see endnotes]

PART 1
INTERPRETATION

1
In these Regulations –
“Council” means the General Dental Council of Great Britain;
“Law” means the Dentists (Registration) (Jersey) Law 1961;
“Minister” means the Minister for Health and Social Services.

PART 2
DENTAL HYGIENISTS

2
(1) There shall be established a class of ancillary dental workers who shall be called dental hygienists.

(2) The roll for this class kept in accordance with Part 4 shall be called the roll of dental hygienists.
3

A person enrolled in the roll of dental hygienists (in these Regulations referred to as a “dental hygienist”) shall be authorized to use the title “dental hygienist”.

4

(1) Subject to the provisions of this Regulation, a dental hygienist shall be permitted to carry out dental work amounting to the practice of dentistry of the following kinds –
   (a) cleaning and polishing teeth;
   (b) scaling teeth (that is to say, the removal of tartar, deposits, accretions and stains from those parts of the surface of the teeth which are exposed or which are directly beneath the free margins of the gums, including the application of medicaments appropriate thereto);
   (c) the application to the teeth of solutions of sodium or stannous fluoride or such other similar prophylactic solutions as the Minister may from time to time determine;
   (d) giving advice within the meaning of Article 1(2) of the Law on matters relating to oral hygiene,

but, except so far as the dental hygienist may be permitted to do so by any other Regulations made under Article 10 of the Law, shall not be permitted to carry out dental work amounting to the practice of dentistry of any other kind.

(2) A dental hygienist shall not be permitted to carry out dental work of the kinds specified in paragraph (1) except –
   (a) under the direction of a registered dentist; and
   (b) after the registered dentist has examined the patient and has indicated to the dental hygienist the course of treatment to be provided for the patient.

(3) Except in the course of employment under an administration of the States, a dental hygienist shall carry out dental work of the kinds specified in paragraph (1) only under the direct personal supervision of a registered dentist who is on the premises at which the hygienist is carrying out such work at the time when it is being carried out.

PART 3
DENTAL AUXILIARIES

5

(1) There shall be established a class of ancillary dental workers who shall be called dental auxiliaries.

(2) The roll for this class kept in accordance with Part 4 shall be called the roll of dental auxiliaries.
6

A person enrolled in the roll of dental auxiliaries (hereinafter referred to as a “dental auxiliary”) shall be authorized to use the title “dental auxiliary”.

7

(1) Subject to the provisions of this Regulation, a dental auxiliary shall be permitted to carry out dental work amounting to the practice of dentistry of the following kinds –

(a) extracting deciduous teeth under local infiltration anaesthesia;
(b) undertaking simple dental fillings;
(c) cleaning and polishing teeth;
(d) scaling teeth (that is to say, the removal of tartar, deposits, accretions and stains from those parts of the surfaces of the teeth which are exposed or which are directly beneath the free margins of the gums, including the application of medicaments appropriate thereto);
(e) the application to the teeth of solutions of sodium or stannous fluoride or such other simple prophylactic solutions as the Minister may from time to time determine;
(f) giving advice within the meaning of Article 1(2) of the Law on matters relating to oral hygiene,

but, except so far as the dental auxiliary may be authorized so to do by any other Regulations made under Article 10 of the Law, shall not be permitted to carry out dental work amounting to the practice of dentistry of any other kind.

(2) A dental auxiliary shall not be permitted to carry out dental work of the kinds specified in paragraph (1) except –

(a) in the course of employment under an administration of the States;
(b) under the direction of a registered dentist; and
(c) after the registered dentist has examined the patient and has indicated in writing to the dental auxiliary the specific treatment to be provided for the patient by the said auxiliary.

PART 4

THE ROLLS AND ENROLMENT

8

The Minister shall keep a separate roll for each class of ancillary dental workers established by these Regulations and any other Regulations made under Article 10 of the Law, and shall cause to be entered in such roll, in respect of every person entitled to have the person’s name entered therein, the name, the
address, the date on which the entry is made and particulars of the qualifications by virtue of which the entry is made.

9

The Minister may enter the name of a person in the roll for a class of ancillary dental workers if that person –

(a) has paid the appropriate fee;

(b) has shown to the satisfaction of the Minister that he or she is of good character and has taken such courses of study and passed such examinations as may from time to time be approved by the Council, and which furnish sufficient guarantee of the person possessing the requisite knowledge and skill to practise dentistry to the extent permitted by these or any other Regulations made under Article 10 of the Law for that class of ancillary dental workers; and

(c) has complied with any other requirements specified in any such Regulations relating to that class.

10

(1) Except where a name has been erased in accordance with the provisions of Regulation 13, the Minister shall retain in the appropriate roll of ancillary dental workers the name of any enrolled person in respect of whom it has received before 31st December in every year a signed application for retention of the name until the 31st December in the next following year, accompanied by the appropriate fee.

(2) Not later than 1st December in every year, the Minister shall send to every person whose name is entered in a roll of ancillary dental workers a form of application for retention of a name in that roll, together with a notice of the fee payable and a warning that non-payment entails erasure, but failure to receive a form or notice shall not of itself constitute a ground for retention or restoration of a name.

(3) Where the Minister on 31st December in any year has not received from any person whose name is entered in a roll of ancillary dental workers a fee for the retention of that person’s name in that roll for the ensuing year, the Minister shall direct that that name be erased from the roll.

11

The Minister may restore to a roll of ancillary dental workers a name erased from that roll other than a name erased in accordance with the provisions of Regulation 13 upon receipt of an application in the form provided by the Minister for the purpose, accompanied by –

(a) the appropriate fee for restoration to, and retention on, the roll; and

(b) where the name of the applicant has not been entered in the roll in any of the 5 years immediately preceding the date of the application, a certificate of identity and good character signed by a Jurat, a minister of religion, a registered medical practitioner or a registered dentist.
In this Part of these Regulations “appropriate fee” and “fee” means such fee as may be prescribed by Order of the Minister for Health and Social Services in pursuance of Article 10(8)(a), (b) or (c) of the Law.

PART 5
DISCIPLINARY ERASURE OF A NAME FROM A ROLL AND RESTORATION OF NAME AFTER DISCIPLINARY ERASURE

13

(1) The Inferior Number of the Royal Court may, on the motion of the Attorney General, order that the name of any person be erased from any roll of ancillary dental workers kept in accordance with these Regulations where that person –

(a) has been convicted in Jersey of a crime or misdemeanour;

(b) has been convicted, either in Her Majesty’s dominions or elsewhere, of any offence which, if committed in Jersey, would be a crime or misdemeanour; or

(c) has been guilty of any misconduct in a professional respect:

Provided that the Court shall not make an order under this paragraph unless the person concerned has been given an opportunity of showing cause why the order should not be made.

(2) The Court may, where it thinks fit so to do, either of its own accord or on the motion of the Attorney General or on the application of the person concerned, rescind any order made under this Regulation.

PART 6
CITATION

14

These Regulations may be cited as the Ancillary Dental Workers (Jersey) Regulations 1974.
ENDNOTES

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1. These Regulations have been amended by the States of Jersey (Amendments and Construction Provisions No. 5) (Jersey) Regulations 2005 and the States of Jersey (Amendments and Construction Provisions No. 12) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government.

2. Regulation 1 amended by R&O.7347

3. Regulation 12 substituted by R&O.7347; former Regulation amended by R&O.6894, R&O.7104