

Dental Act 1939

Dental Board Amendment Rules 2004

Made by the Dental Board of Western Australia with the approval of the Governor in Executive Council.

1. Citation

These rules are the *Dental Board Amendment Rules 2004*.

2. Commencement

These rules come into operation on the day on which Part 2 Division 36 of the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* comes into operation or on the day of their publication in the *Gazette*, whichever is the later.

3. The rules amended

The amendments in these rules are to the *Dental Board Rules 1973**.

[* *Reprint 2 as at 1 August 2003.*]

4. Rule 6 amended

Rule 6 is amended by deleting “complaint against” and inserting instead —

“ allegation against a person who is or was ”.

5. Rule 21 repealed

Rule 21 is repealed.

6. Part X heading amended

The heading to Part X is amended by deleting “Complaints” and inserting instead —

“ **Allegations** ”.

7. Rule 30 amended

(1) Rule 30(1) is repealed.

(2) Rule 30(2) is amended as follows:

(a) by deleting “a complaint or allegation against” and inserting instead —

“ an allegation against a person who is or was ”;

(b) by deleting “of complaint”.

- (3) Rule 30(3) is amended as follows:
- (a) by deleting “complaint or allegation made pursuant to this rule” and inserting instead —
“ allegation under section 30(2) of the Act ”;
 - (b) by deleting “complaint or” after “the”;
 - (c) by deleting “registered person” and inserting instead —
“ person against whom the allegation is made ”.

8. Rule 31 replaced

Rule 31 is repealed and the following rule is inserted instead —

“

31. Referring allegation to the State Administrative Tribunal

If the Board, after considering any answer furnished under rule 30, decides to refer an allegation to the State Administrative Tribunal, the Registrar is to —

- (a) cause a copy of the answer to be given to the executive officer of the State Administrative Tribunal with the referral; and
- (b) within 7 days of the day on which the allegation is referred to the State Administrative Tribunal, cause a copy of the answer to be given to the person who made the allegation.

”.

9. Rules 32 and 33 repealed

Rules 32 and 33 are repealed.

10. Rule 36 amended

Rule 36(2) is amended as follows:

- (a) by deleting “an inquiry conducted by the Board in accordance with the rules” and inserting instead —
“ a special meeting referred to in rule 6 ”;
- (b) by deleting “to conduct the inquiry”;
- (c) in paragraph (a)(i) and (ii) and paragraph (b)(i) and (ii), by deleting “inquiry” and inserting instead —
“ Board ”.

11. First Schedule amended

In the First Schedule Forms 7, 9, and 10 are deleted.

The Common Seal of the)
Dental Board of Western)
Australia was affixed in the)
presence of —)

W. M. CLARK,
Registrar.

J. R. OWEN,
President.

Approved by the Governor in Executive Council,

ROD SPENCER, Clerk of the Executive Council.
