



REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

Price 10c Prys
Overseas 15c Oorsee
POST FREE—POSVRY

ISBN 0 621 00053 1

CAPE TOWN, 24TH MAY, 1972.

[No. 3514.

VOL. 83.]

KAAPSTAD, 24 MEI 1972.

DEPARTMENT OF THE PRIME MINISTER.

No. 864.

24th May, 1972.

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

No. 43 of 1972: Dental Mechanicians Amendment Act, 1972.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 864.

24 Mei 1972.

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

No. 43 van 1972: Wysigingswet op Tandwerktuigkundiges, 1972.

Wet No. 43, 1972**WYSIGINGSWET OP TANDWERKTUIGKUNDIGES, 1972.****WET**

Tot wysiging van die bepalings van die Wet op Tandwerkligkundiges, 1945, betreffende die woordomskrywings; die samestelling van die Raad op Tandwerkligkundiges; en die heffing betaalbaar deur tandartse en tandwerkligkundiges; om voorsiening te maak vir die hou van 'n register van tandwerkligkundestudente; tot wysiging van gemelde bepalings betreffende die opleiding van tandwerkligkundiges; om gemelde Raad te magtig om sekere kursusse vir tandwerkligkundiges aan te bied en om Inspekteurs aan te stel; om die registrasie van sekere kontrakte te verbied; tot wysiging van gemelde bepalings met betrekking tot sekere vervolgings; om die indiensneming of indienshouing van sekere persone vir sekere doeleinades te verbied; om 'n sekere verpligting aan persone wat laboratoria vir tandkundige werk dryf, op te lê; tot wysiging van gemelde bepalings met betrekking tot die uitreiking van sekere permitte; die strafbepalings; en die bevoegdheid van die Minister om regulasies uit te vaardig; om voorsiening te maak vir die verbeurdverklaring van sekere stowwe; en om vir aangeleenthede wat daarmee in verband staan, voorsiening te maak.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 16 Mei 1972.)

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

Wysiging van artikel 1 van Wet 30 van 1945.

1. Artikel 1 van die Wet op Tandwerkligkundiges, 1945 (hieronder die Hoofwet genoem), word hierby gewysig
 - (a) deur voor die omskrywing van „raad“ die volgende omskrywing in te voeg:
„goedgekeur“ deur die raad kragtens hierdie Wet goedgekeur;”;
 - (b) deur na die omskrywing van „laboratorium vir tandkundige werk“ die volgende omskrywings in te voeg:
„tandwerkligkundige“ iemand wat kragtens artikel 12 as tandwerkligkundige geregistreer is;
„tandwerkligkundige kontrakteur“ 'n tandwerkligkundige wat die beroep van tandwerkligkundige beoefen—
 - (a) vir eie rekening; of
 - (b) terwyl hy 'n direkteur of aandeelhouer is van 'n maatskappy wat by die inwerkingtreding van die Wysigingswet op Tandwerkligkundiges, 1972, 'n besigheid dryf waarby 'n handeling verrig word wat spesiaal tot die beroep van tandwerkligkundige behoort;
 - ,tandwerkligkundestudent“ 'n persoon wat tandwerkligkunde aan 'n goedgekeurde inrigting bestudeer of praktiese opleiding in 'n goedgekeurde laboratorium vir tandkundige werk ontvang en wat kragtens artikel 11A geregistreer is;”;

DENTAL MECHANICIANS AMENDMENT ACT, 1972.**Act No. 43, 1972****ACT**

To amend the provisions of the Dental Mechanicians Act, 1945, relating to the definitions; the constitution of the Dental Mechanicians Board; and the levy payable by dentists and dental mechanicians; to provide for the keeping of a register of dental mechanician students; to amend the said provisions relating to the training of dental mechanicians; to empower the said Board to offer certain courses for dental mechanicians and to appoint inspectors; to prohibit the registration of certain contracts; to amend the said provisions relating to certain prosecutions; to prohibit the employment for certain purposes of certain persons; to impose a certain duty upon persons conducting dental laboratories; to amend the said provisions relating to the issue of certain permits; the penalties; and the power of the Minister to make regulations; to provide for the forfeiture of certain materials; and to provide for incidental matters.

(Afrikaans text signed by the State President.)

(Assented to 16th May, 1972.)

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

1. Section 1 of the Dental Mechanicians Act, 1945 (hereinafter referred to as the principal Act), is hereby amended: Amendment of section 1 of Act 30 of 1945.

(a) by the insertion before the definition of "board" of the following definition:

"'approved' means approved by the board under this Act;" ;

(b) by the insertion after the definition of "dental laboratory" of the following definitions:

"'dental mechanician' means any person registered as a dental mechanician under section 12;

'dental mechanician contractor' means a dental mechanician who exercises the calling of a dental mechanician—

(a) on his own account; or

(b) while being a director or shareholder of a company which at the commencement of the Dental Mechanicians Amendment Act, 1972, carries on any business in which is performed any act specially pertaining to the work of a dental mechanician;

'dental mechanician student' means any person who is studying dental mechanics at an approved institution or is undergoing practical training in an approved dental laboratory and who has been registered under section 11A;" ;

Wet No. 43, 1972**WYSIGINGSWET OP TANDWERKTUIGKUNDIGES, 1972.**

- (c) deur na die omskrywing van „vasgestelde datum” die volgende omskrywing in te voeg:
„inspekteur” ’n inspekteur van laboratoria vir tandkundige werk kragtens artikel 28A aangestel;”;
- (d) deur die omskrywing van „Minister” deur die volgende omskrywing te vervang:
„Minister” die Minister van Gesondheid;”;
- (e) deur die omskrywing van „geregistreerde tandwerkstuigkundige” te skrap; en
- (f) deur na die omskrywing van „registrateur” die volgende omskrywing in te voeg:
„aanvullende kursus” gespesialiseerde of gevorderde opleiding in ’n aspek of vertakking van die werk van ’n tandwerkstuigkundige;”.

Wysiging van artikel 3 van Wet 30 van 1945.

2. (1) Artikel 3 van die Hoofwet word hierby gewysig deur paragrawe (b) en (c) van subartikel (1) deur onderskeidelik die volgende paragrawe te vervang:

- „(b) een ’n tandwerkstuigkundige kontrakteur is en deur tandwerkstuigkundige kontrakteurs benoem en gekies word;
- (c) twee tandwerkstuigkundiges is wat die beroep van tandwerkstuigkundige as werknemers beoefen en wat deur tandwerkstuigkundiges wat aldus in diens is, benoem en gekies word; en;”.

(2) Persone wat by die inwerkingtreding van die Wysigingswet op Tandwerkstuigkundiges, 1972, lede van die raad is en wat tandwerkstuigkundiges is, word geag ooreenkomsdig die bepalings van subartikel (1) benoem en gekies te gewees het en bly in hulle ampte aan vir die onverstreke gedeelte van hulle ampstermyne.

Vervanging van artikel 10 van Wet 30 van 1945, soos gewysig deur artikel 1 van Wet 33 van 1947.

3. Artikel 10 van die Hoofwet word hierby deur die volgende artikel vervang:

„Inkomste van raad.

10. (1) Ten einde sy uitgawes te bestry, lê die raad, onderworpe aan die bepalings van subartikel (3), aan elke persoon in subartikel (2) bedoel, ooreenkomsdig die bepalings van daardie subartikel, ’n jaarlikse heffing op van dié bedrag wat die Staats-president op aanbeveling van die raad magtig.

(2) (a) Die heffing in subartikel (1) bedoel, is betaalbaar op die eerste dag van Januarie van elke jaar en word betaal deur elke persoon wat op daardie dag ’n tandarts of tandwerkstuigkundige is: Met dien verstande dat indien iemand na die eerste dag van Januarie as ’n tandarts of tandwerkstuigkundige geregistreer word of, nadat aan hom ’n vrystelling kragtens subartikel (3) verleen is, die uitoefening van sy professie of beroep hervat, bedoelde heffing betaalbaar word op die dag waarop bedoelde persoon aldus geregistreer word of die uitoefening van sy professie of beroep hervat, na gelang van die geval: Met dien verstande voorts dat indien sodanige heffing na die eerste dag van Januarie betaalbaar word, die bedrag van die heffing verminder word in verhouding tot die tydperk wat sedert die eerste dag van Januarie verloop het.

(b) Die heffing in paragraaf (a) bedoel, word betaalvoor die verstryking van ’n tydperk van vyf maande vanaf die dag waarop dit betaalbaar word, maar in ieder geval nie later as die een-endertigste dag van Desember van die jaar waarin dit betaalbaar word nie.

DENTAL MECHANICIANS AMENDMENT ACT, 1972. Act No. 43, 1972

- (c) by the insertion after the definition of "fixed date" of the following definition:
"inspector" an inspector of dental laboratories appointed under section 28A;";
- (d) by the substitution for the definition of "Minister" of the following definition:
"Minister" means the Minister of Health;";
- (e) by the deletion of the definition of "registered dental mechanician"; and
- (f) by the insertion after the definition of "registrar" of the following definition:
"supplementary course" means specialized or advanced training in any aspect or branch of the work of a dental mechanician;".

2. (1) Section 3 of the principal Act is hereby amended by Amendment of the substitution for paragraphs (b) and (c) of subsection (1) of section 3 of the following paragraphs, respectively: *Act 30 of 1945.*

- (b) one shall be a dental mechanician contractor nominated and elected by dental mechanician contractors;
- (c) two shall be dental mechanicians who carry on the calling of dental mechanician as employees and who are nominated and elected by dental mechanicians thus employed; and".

(2) Persons who are at the commencement of the Dental Mechanicians Amendment Act, 1972, members of the board and who are dental mechanicians, shall be deemed to have been nominated and elected in terms of the provisions of subsection (1) and shall remain in office for the unexpired portions of their terms of office.

3. The following section is hereby substituted for section 10 Substitution of section 10 of Act of the principal Act: *30 of 1945, as amended by section 1 of Act 33 of 1947.*

"Revenues of board. 10. (1) For the purpose of defraying its expenses, the board shall, subject to the provisions of subsection (3), make an annual levy upon every person referred to in subsection (2), in accordance with the provisions of that subsection, in such amount as the State President may, on the recommendation of the board, determine.

(2) (a) The levy referred to in subsection (1) shall become payable on the first day of January in each year and shall be paid by every person who is on that day a dentist or dental mechanician: Provided that if any person is registered as a dentist or dental mechanician or after having been granted an exemption under subsection (3), recommences the carrying on of his profession or calling after the first day of January, such levy shall become payable on the day on which such person is so registered or recommences the carrying on of his profession or calling, as the case may be: Provided further that if such levy becomes payable after the first day of January, the amount of the levy shall be reduced in proportion to the period which has expired since the first day of January.

(b) The levy referred to in paragraph (a), shall be paid before the expiration of a period of five months from the day on which it becomes payable, but in any case not later than the thirty-first day of December of the year in which it becomes payable.

Wet No. 43, 1972

WYSIGINGSWET OP TANDWERKTUIGKUNDIGES, 1972.

- (3) Die raad kan—
 (a) 'n tandarts of tandwerktuigkundige wat die raad oortuig dat hy opgehou het om sy professie of beroep uit te oefen, vrystel van die betaling van 'n heffing wat betaalbaar geword het of word na die dag waarop sodanige tandarts of tandwerktuigkundige opgehou het om sy professie of beroep uit te oefen;
 (b) 'n tandarts of tandwerktuigkundige wat die ouderdom van sewentig jaar bereik het, vrystel van die betaling van 'n heffing wat betaalbaar geword het of word na die dag waarop hy die ouderdom van sewentig jaar bereik het.
- (4) (a) Indien 'n tandarts of tandwerktuigkundige wat kragtens subartikel (3) (a) vrygestel is, die uitoefening van sy professie of beroep hervat, stel hy die raad binne 'n tydperk van dertig dae met ingang van die dag waarop hy die uitoefening van sy professie of beroep hervat het, skriftelik van daardie feit in kennis.
 (b) Iemand wat versuim om aan die bepalings van paragraaf (a) te voldoen, moet aan die raad 'n bedrag van twintig rand betaal, benewens die bedrag van 'n heffing deur hom kragtens subartikel (2) betaalbaar.
- (5) Alle gelde, behalwe die in artikel 31 (1) (a) bedoelde gelde, wat ingevolge hierdie Wet betaalbaar is, word aan die raad betaal.”

Invoeging van
artikel 11A in
Wet 30 van 1945.

4. Die volgende artikel word hierby in die Hoofwet na artikel 11 ingevoeg:

„Register van tandwerk-tuigkundestudente. 11A. (1) Die raad hou 'n register waarin die name en adresse van persone wat tandwerktuigkunde aan goedgekeurde inrigtings bestudeer of praktiese opleiding in goedgekeurde laboratoria vir tandkundige werk ontvang, ingeskryf word.

(2) Iedereen moet by die aanvang van sy studies in tandwerktuigkunde aan 'n goedgekeurde inrigting, om registrasie kragtens subartikel (1) aansoek doen en moet tesame met sy aansoek die gelde, die bewys van die standaard van algemene opvoeding deur hom bereik en die besonderhede voorlê wat deur die raad voorgeskryf word ingevolge 'n reël kragtens artikel 32 neergelê.”

Wysiging van
artikel 13 van
Wet 30 van 1945.

5. Artikel 13 (1) van die Hoofwet word hierby gewysig—

(a) deur subparagraph (vii) van paragraaf (c) deur die volgende subparagraph te vervang:

„(vii) indien hy in 'n ander land as die Republiek opgelei is—

(a) dat hy sy opleiding voor die datum vasgestel kragtens artikel 15 (5) begin het, dat hy vir 'n tydperk van minstens vyf jaar die opleidingskursus gevolg het wat nodig is om hom in daardie land as tandwerktuigkundige te kwalifiseer, en dat die gehalte van daardie opleiding gelykstaan met dié van die opleiding wat die persone in subparagraph (iii) bedoel, ontvang; of

(b) dat hy die studiekursus in tandwerktuigkunde van minstens twee en 'n half jaar voltooi het en daarna die praktiese opleiding in tandwerktuigkunde vir 'n aaneenlopende tydperk van minstens een jaar ontvang het wat nodig is om hom in daardie land as

DENTAL MECHANICIANS AMENDMENT ACT, 1972.

Act No. 43, 1972

- (3) The board may—
- (a) exempt any dentist or dental mechanician who satisfies the board that he has ceased to carry on his profession or calling from the payment of any levy which became or becomes payable after the day on which such dentist or dental mechanician ceased to carry on his profession or calling; and
 - (b) exempt any dentist or dental mechanician who has reached the age of seventy years from the payment of any levy which became or becomes payable after the day on which he reached the age of seventy years.
- (4) (a) If a dentist or dental mechanician who is exempted under subsection (3) (a), recommences the carrying on of his profession or calling, he shall notify the board in writing of that fact within a period of thirty days with effect from the day on which he recommenced the carrying on of his profession or calling.
- (b) Any person who fails to comply with the provisions of paragraph (a), shall pay to the board an amount of twenty rand, in addition to the amount of the levy payable by him under subsection (2).
- (5) All fees payable under this Act, other than the fee referred to in section 31 (1) (a), shall be paid to the board.”.

4. The following section is hereby inserted in the principal Act after section 11:

“Register of dental mechanician students.

11A. (1) The board shall keep a register in which shall be entered the names and addresses of persons who are studying dental mechanics at approved institutions or are undergoing practical training in approved dental laboratories.

Insertion of
section 11A in
Act 30 of 1945.

(2) Every person shall at the commencement of his studies in dental mechanics at an approved institution apply for registration under subsection (1) and shall together with his application submit such fee, such proof as to the standard of general education attained by him and such particulars as may be prescribed by the board in terms of a rule made under section 32.”.

5. Section 13 (1) of the principal Act is hereby amended—

Amendment of
section 13 of
Act 30 of 1945.

(a) by the substitution for subparagraph (vii) of paragraph (c) of the following subparagraph:

“(vii) if he has been trained in a country other than the Republic—

(a) that he has commenced his training before the date specified under section 15 (5), that he has undergone such course of training for a period of not less than five years as is necessary to qualify him as a dental mechanician in that country, and that the standard of such training is equal to that of the training undergone by persons referred to in paragraph (iii); or

(b) that he has completed such course of study in dental mechanics of not less than two and a half years and has thereafter undergone such practical training in dental mechanics for a continuous period of at least one year as is necessary to qualify him as a dental

Wet No. 43, 1972**WYSIGINGSWET OP TANDWERKTUIGKUNDIGES, 1972.**

tandwerktuigkundige te kwalifiseer, en dat die standaard van sodanige opleiding gelykstaan met dié van die opleiding wat die persone in subparagraaf (ix) bedoel, ontvang; of”;

- (b) deur die woord „of” aan die end van subparagraaf (viii) van paragraaf (c) by te voeg; en
- (c) deur die volgende subparagraaf by paragraaf (c) te voeg:
„(ix) dat hy 'n studiekursus in tandwerktuigkunde van minstens twee en 'n halfjaar aan 'n goedgekeurde inrigting voltooi het en daarna praktiese opleiding vir 'n aaneenlopende tydperk van minstens een jaar in 'n goedgekeurde laboratorium vir tandkundige werk ontvang het.”.

Wysiging van artikel 14 van Wet 30 van 1945.

6. Artikel 14 van die Hoofwet word hierby gewysig deur die volgende subartikel na subartikel (2) in te voeg:

„(3) Die raad kan aanvullende kursusse vir tandwerktuigkundiges aanbied en kan by 'n reël neergelê kragtens artikel 32 die vereistes waaraan persone wat op dié kursusse inskryf of dit volg, moet voldoen en die voorwaardes waarop bedoelde kursusse aangebied word, bepaal.”.

Wysiging van artikel 15 van Wet 30 van 1945.

7. Artikel 15 van die Hoofwet word hierby gewysig deur die toevoeging van die volgende subartikel:

„(5) Met ingang van 'n datum deur die Minister by kennisgewing in die *Staatskoerant* bepaal, word geen leerlingkontrak kragtens subartikel (1) geregistreer nie.”.

Wysiging van artikel 16 van Wet 30 van 1945.

8. Artikel 16 van die Hoofwet word hierby gewysig—

- (a) deur die volgende subartikel na subartikel (1) in te voeg:

„(1A) By 'n vervolg weens 'n oortreding van 'n bepaling van paragraaf (a) of (c) van subartikel (1), word die beskuldigde geag, tensy die teendeel bewys word, die handeling ten opsigte waarvan die vervolging ingestel word, vir wins te verrig het.”;

- (b) deur die woord „of” aan die end van subartikel (3) (c) (iv) in te voeg;

- (c) deur die volgende subparagraaf by subartikel (3) (c) te voeg:

„(v) op 'n tandwerktuigkundestudent, indien die betrokke handeling vir die doeleindes van sy opleiding in tandwerktuigkunde verrig word.”; en

- (d) deur die volgende subartikel by te voeg:

„(4) Behoudens die bepalings van artikel 16 mag niemand 'n ander persoon in diens neem of in diens hou om die werk van 'n tandwerktuigkundige te doen of om 'n handeling te verrig wat spesiaal tot die werk van 'n tandwerktuigkundige behoort nie, tensy sodanige ander persoon kragtens artikel 12 geregistreer is.”.

Vervanging van artikel 17 van Wet 30 van 1945.

9. Artikel 17 van die Hoofwet word hierby deur die volgende artikel vervang:

- | | |
|---|---|
| „Laboratorium vir tandkundige werk moet onder beheer van tandarts of tandwerktuigkundige staan. | 17. (1) Niemand—
(a) mag 'n laboratorium vir tandkundige werk dryf nie, anders as onder die voortdurende persoonlike toesig van 'n tandarts of tandwerktuigkundige;
(b) wat nie 'n tandarts of tandwerktuigkundige is nie, mag toesig hou oor 'n laboratorium vir tandkundige werk. |
|---|---|

DENTAL MECHANICIANS AMENDMENT ACT, 1972.

Act No. 43, 1972

mechanician in that country and that the standard of such training is equal to that of the training undergone by persons referred to in paragraph (ix); or";

- (b) by the addition at the end of subparagraph (viii) of paragraph (c) of the word "or"; and
 - (c) by the addition to paragraph (c) of the following subparagraph:
- "(ix) that he has completed a course of study in dental mechanics of not less than two and a half years at an approved institution and has thereafter undergone practical training for a continuous period of not less than one year in an approved dental laboratory.".

6. Section 14 of the principal Act is hereby amended by the insertion after subsection (2) of the following subsection: Amendment of section 14 of Act 30 of 1945.

"(3) The board may offer supplementary courses for dental mechanicians and may by rule, made under section 32, determine the requirements with which persons enrolling for or following such courses must comply and the conditions subject to which such courses are offered.".

7. Section 15 of the principal Act is hereby amended by the addition of the following subsection: Amendment of section 15 of Act 30 of 1945.

"(5) With effect from a date to be fixed by the Minister by notice in the *Gazette*, no contract of apprenticeship shall be registered under subsection (1).".

8. Section 16 of the principal Act is hereby amended—

- (a) by the insertion after subsection (1) of the following subsection:

"(1A) In any prosecution for a contravention of any provision of paragraph (a) or (c) of subsection (1), 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.";

- (b) by the addition at the end of subsection (3) (c) (iv) of the word "or";
- (c) by the addition to subsection (3) (c) of the following subparagraph:

"(v) to any dental mechanician student, if the act in question is performed for the purposes of his training in dental mechanics."; and

- (d) by the addition of the following subsection:

"(4) Subject to the provisions of section 16 no person shall employ any other person to perform the work of a dental mechanician or any act specially pertaining to the work of a dental mechanician, unless such other person is registered under section 12.".

9. The following section is hereby substituted for section 17 of the principal Act: Substitution of section 17 of Act 30 of 1945.

"Dental laboratory to be under control of dentist or dental mechanician.

17. (1) No person—

- (a) shall conduct a dental laboratory except under the continuous personal supervision of a dentist or dental mechanician;
- (b) who is not a dentist or dental mechanician, shall supervise any dental laboratory.

Wet No. 43, 1972**WYSIGINGSWET OP TANDWERKTUIGKUNDIGES, 1972.**

(2) Iemand wat 'n laboratorium vir tandkundige werk dryf, moet die raad binne die tydperk in subartikel (3) bedoel, van dié feit in kennis stel en moet die besonderhede aangaande sodanige laboratorium wat by 'n reël neergelê kragtens artikel 32 voorgeskryf word, verstrek.

(3) Iemand wat by die inwerkingtreding van die Wysigingswetsontwerp op Tandwerkstuigkundiges, 1972, 'n laboratorium vir tandkundige werk dryf, moet die raad in kennis stel soos deur subartikel (2) vereis binne 'n tydperk van twee maande met ingang van sodanige inwerkingtreding, en iemand wat op 'n datum na sodanige inwerkingtreding begin om 'n laboratorium vir tandkundige werk te dryf, moet die raad binne 'n tydperk van twee maande met ingang van sodanige datum soos deur subartikel (2) vereis in kennis stel.

Wysiging van artikel 18 van Wet 30 van 1945.

10. Artikel 18 van die Hoofwet word hierby gewysig—

(a) deur subartikel (2) deur die volgende subartikel te vervang:

„(2) Geen maatskappy mag 'n besigheid waarby 'n handeling verrig word wat spesiaal tot die werk van 'n tandwerkstuigkundige 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 die Wysigingswet op Tandwerkstuigkundiges, 1972, 'n besigheid dryf waarby sodanige handeling verrig word.”; en

(b) deur die volgende subartikel by te voeg:

„(3) Behoudens die bepalings van subartikel (1), mag geen vennootskap 'n besigheid waarby 'n handeling verrig word wat spesiaal tot die werk van 'n tandwerkstuigkundige behoort, dryf nie, tensy al die vennote tandartse of tandwerkstuigkundiges is.”.

Vervanging van artikel 19 van Wet 30 van 1945.

11. Artikel 19 van die Hoofwet word hierby deur die volgende artikel vervang:

„Invoer, besit en verskaffing van ongemonteerde kunstande.

19. (1) Niemand behalwe 'n tandarts of 'n tandwerkstuigkundige kontrakteur mag ongemonteerde kunstande vervaardig, invoer of koop, of in besit daarvan wees nie, dan alleen kragtens 'n permit ooreenkomsdig subartikel (3) uitgereik: Met dien verstande dat 'n tandarts of tandwerkstuigkundige kontrakteur ongemonteerde kunstande mag vervaardig, invoer, koop, of in besit daarvan mag wees slegs ten einde sodanige kunstande te verskaf aan persone wat deur hom in die uitoefening van sy praktyk as tandarts behandel is: Met dien verstande voorts dat 'n tandwerkstuigkundige kontrakteur ongemonteerde kunstande mag vervaardig, invoer of koop of in besit daarvan mag wees slegs ten einde dit te verskaf aan 'n tandarts ooreenkomsdig die bepalings van hierdie Wet.

(2) Niemand mag ongemonteerde kunstande verskaf aan iemand wat nie 'n tandarts, 'n tandwerkstuigkundige kontrakteur of die besitter van 'n kragtens subartikel (3) uitgerekte permit is nie.

(3) Die Minister kan, in die vorm wat by regulasie voorgeskryf word, onderworpe aan die voorwaardes wat hy goedvind, '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 aan 'n tandarts of tandwerkstuigkundige kontrakteur te verskaf.”.

DENTAL MECHANICIANS AMENDMENT ACT, 1972.

Act No. 43, 1972

(2) Any person who conducts a dental laboratory shall within the period referred to in subsection (3), notify the board of that fact and shall furnish such particulars relating to such laboratory as may be prescribed by rule made under section 32.

(3) Any person who at the commencement of the Dental Mechanicians Amendment Act, 1972, conducts a dental laboratory shall notify the board as required by subsection (2) within a period of two months with effect from such commencement, and any person who starts to conduct a dental laboratory on a date after such commencement, shall notify the board as required by subsection (2) within a period of two months with effect from such date.”.

10. Section 18 of the principal Act is hereby amended—

Amendment of
section 18 of
Act 30 of 1945.

- (a) by the substitution for subsection (2) of the following subsection:

“(2) No company shall carry on any business in which is performed any act specially pertaining to the work of a dental mechanician: Provided that the provisions of this subsection shall not apply to any company which at the commencement of the Dental Mechanicians Amendment Act, 1972, is carrying on a business in which any such act is performed.”; and

- (b) by the insertion after subsection (2) of the following subsection:

“(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 work of a dental mechanician unless all the partners are dentists or dental mechanicians.”.

11. The following section is hereby substituted for section 19 of the principal Act:

Substitution of
section 19 of
Act 30 of 1945.

Importation,
possession,
and supply
of un-
mounted
artificial
teeth.

19. (1) No person other than a dentist or a dental mechanician 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 dentist or dental mechanician contractor may manufacture, import, buy or be in possession of unmounted artificial teeth solely for the purpose of supplying such teeth to persons treated by him in the exercise of his practice as dentist: Provided further that a dental mechanician contractor may manufacture, import, buy or be in possession of unmounted artificial teeth solely for the purpose of supplying such teeth to any 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 or dental mechanician contractor or the holder of a permit issued under subsection (3).

(3) The Minister may, in the form prescribed by regulation, subject to such conditions as he may deem fit, 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 or dental mechanician contractor.”.

Wet No. 43, 1972**WYSIGINGSWET OP TANDWERKTUIGKUNDIGES, 1972.**

Vervanging van artikel 20 van Wet 30 van 1945.

12. Artikel 20 van die Hoofwet word hierby deur die volgende artikel vervang:

„Register van transaksies met ongemonteerde kunstande.

20. Die besitter van 'n kragtens artikel 19 (3) uitgereikte permit moet 'n register in die voorgeskrewe vorm hou waarin hy die voorgeskrewe besonderhede moet opteken in verband met alle ongemonteerde kunstande wat hy vervaardig, ingevoer, gekoop, verkoop of verskaf het, of wat hy in sy besit het, en moet op alle redelike tye op versoek van 'n polisiedienaar met die rang van sersant of hoër of van 'n ander persoon wat skriftelik deur 'n magistraat of die Sekretaris van Gesondheid gemachtig is om kragtens hierdie artikel op te tree, die register en alle ongemonteerde kunstande wat in sy besit is, toon ter besigtiging deur bedoelde polisiedienaar of ander persoon.”.

Vervanging van artikel 25 van Wet 30 van 1945.

13. Artikel 25 van die Hoofwet word hierby deur die volgende artikel vervang:

„Komitee tree op as 'n nywerheidsraad.

25. (1) Vir die doeleindes van die Wet op Nywerheidsversoening, 1956 (Wet No. 28 van 1956), word die komitee geag 'n nywerheidsraad te wees wat ingevolge artikel 19 (3) van genoemde Wet ten opsigte van die Republiek en van die beroep van tandwerkligkundige geregistreer is, en die bepalings van genoemde Wet met betrekking tot nywerheidsrade is, vir sover hul toepaslik is, *mutatis mutandis* van toepassing ten opsigte van die komitee, met uitsondering van subartikels (4), (5), (6), (8), (9), (10) en (11) van artikel 19, artikels 20 en 22, paragraaf (q) van artikel 24 (1) en artikels 26, 27, 28, 29, 32, 33 en 34.

(2) Uitgawes deur die komitee kragtens artikel 30 (1) of artikel 47 (2) van die Wet op Nywerheidsversoening, 1956, soos deur hierdie artikel toegepas, beloop, word uit die fondse van die raad bestry.”.

Vervanging van artikel 26 van Wet 30 van 1945.

14. Artikel 26 van die Hoofwet word hierby deur die volgende artikel vervang:

„Verpligte arbitrasie en verbod op stakings.

26. (1) Wanneer 'n geskil betreffende diensvoorraades na die komitee verwys is, is die bepalings van artikel 46 van die Wet op Nywerheidsversoening, 1956 (Wet No. 28 van 1956), *mutatis mutandis* ten opsigte van daardie geskil van toepassing.

(2) Die bepalings van paragraaf (c) van artikel 65 (1) van genoemde Wet is ten opsigte van tandwerkligkundiges van toepassing asof die werk wat hul verrig 'n in artikel 46 van genoemde Wet bedoelde diens is.”.

Invoeging van artikel 28A in Wet 30 van 1945.

15. Die volgende artikel word hierby in die Hoofwet na artikel 28 ingevoeg:

„Aanstelling van inspekteurs van laboratoria vir tandkundige werk.

28A. (1) Die raad kan inspekteurs van laboratoria vir tandkundige werk aanstel om die bevoegdhede en werksaamhede in subartikel (4) bedoel, uit te oefen en te verrig.

(2) 'n Inspekteur moet van 'n sertifikaat voorsien word wat deur 'n daartoe aangewysde werknemer van die raad onderteken is en waarin verklaar word dat bedoelde persoon as 'n inspekteur kragtens hierdie Wet aangestel is.

DENTAL MECHANICIANS AMENDMENT ACT, 1972.

Act No. 43, 1972

12. The following section is hereby substituted for section 20 of the principal Act:

Substitution of
section 20 of
Act 30 of 1945.

"Register of transactions in un-mounted artificial teeth."

20. The holder of a permit issued under section 19 (3) shall keep a register in the prescribed form wherein he shall enter the prescribed particulars with regard 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 policeman of or above the rank of sergeant or any other person authorized in writing by a magistrate or the Secretary for Health to act under this section, produce such register and any unmounted artificial teeth which are in his possession, for the inspection of such policeman or other person."

13. The following section is hereby substituted for section 25 of the principal Act:

Substitution of
section 25 of
Act 30 of 1945.

"Committee to function as an industrial council."

25. (1) For the purposes of the Industrial Conciliation Act, 1956 (Act No. 28 of 1956), the committee shall be deemed to be an industrial council, which has been registered under section 19 (3) of the said Act in respect of the Republic and of the occupation of dental mechanician, and the provisions of the said Act in respect of industrial councils shall, in so far as they are applicable, *mutatis mutandis*, apply in respect of the committee, with the exception of subsections (4), (5), (6), (8), (9), (10) and (11) of section 19, sections 20 and 22, paragraph (q) of section 24 (1), and sections 26, 27, 28, 29, 32, 33 and 34.

(2) Any expenditure incurred by the committee under section 30 (1), or 47 (2) of the Industrial Conciliation Act, 1956, as applied by this section, shall be defrayed from the funds of the board."

14. The following section is hereby substituted for section 26 of the principal Act:

Substitution of
section 26 of
Act 30 of 1945.

"Compulsory arbitration and prohibition of strikes."

26. (1) Whenever a dispute relating to conditions of employment has been referred to the committee, the provisions of section 46 of the Industrial Conciliation Act, 1956 (Act No. 28 of 1956), shall, *mutatis mutandis*, apply in respect of that dispute.

(2) The provisions of paragraph (c) of section 65 (1) of the said Act shall apply in respect of dental mechanicians as though the work performed by them were a service referred to in section 46 of the said Act."

15. The following section is hereby inserted in the principal Act after section 28:

Insertion of
section 28A in
Act 30 of 1945.

"Appointment of inspectors of dental laboratories."

28A. (1) The board may appoint persons as inspectors of dental laboratories to exercise and perform the powers and functions referred to in subsection (4).

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

Wet No. 43, 1972

WYSIGINGSWET OP TANDWERKTUIGKUNDIGES, 1972.

(3) 'n Inspekteur moet die sertifikaat in subartikel (2) bedoel, toon aan iemand wat geraak word deur die uitoefening of die verrigting deur sodanige inspekteur van 'n bevoegdheid of werksaamheid in subartikel (4) bedoel.

(4) 'n Inspekteur kan—

- (a) sonder kennisgewing vooraf op 'n redelike tyd 'n laboratorium vir tandkundige werk betree;
- (b) 'n boek, geskrif of stuk wat betrekking het op die verrigting van 'n handeling wat spesiaal tot die werk van tandwerktuigkundige behoort, ondersoek;
- (c) iemand ondervra wat, na hy redelikerwys vermoed, in besit is van inligting betreffende die verrigting van 'n handeling wat spesiaal tot die werk van 'n tandwerktuigkundige behoort, of 'n oortreding of beweerde oortreding van 'n bepaling van hierdie Wet;
- (d) die voorlegging van 'n rekening, faktuur of ander stuk wat deur 'n persoon in verband met die verrigting van 'n handeling wat spesiaal tot die werk van tandwerktuigkundige behoort, uitgereik is, en 'n verduideliking van 'n inskrywing daarin, van bedoelde persoon of die bewaarder daarvan eis;
- (e) uittreksels of afskrifte maak uit en van 'n boek, geskrif, stuk, rekening of faktuur in paragrawe (b) en (d) vermeld en vir die doeleindes van verrigtinge teen 'n persoon, op enige sodanige boek, geskrif, stuk, rekening of faktuur beslag lê.”.

Vervanging van artikel 29 van Wet 30 van 1945.

16. Artikel 29 van die Hoofwet word hierby deur die volgende artikel vervang:

„Straf-bepalings.

29. (1) Iemand wat—

- (a) die bepalings van artikel 16, 17 of 19 oortree of versuim om daaraan te voldoen; of
- (b) 'n voorwaarde van 'n permit kragtens artikel 19 uitgereik, oortree of versuim om daaraan te voldoen; of
- (c) (i) 'n inspekteur by die uitoefening van sy bevoegdhede of die verrigting van sy werksaamhede kragtens artikel 28A hinder of belemmer; of
- (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; of
- (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; of
- (iv) opsetlik aan 'n inspekteur inligting verstrek wat vals of misleidend is,

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tweehonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens twaalf maande.

(2) Iemand wat—

- (a) die bepalings van artikel 10, 18 of 20; of
- (b) 'n bepaling van 'n dienskontrak of leerling-kontrak wat kragtens hierdie Wet geregistreer is; of

DENTAL MECHANICIANS AMENDMENT ACT, 1972. Act No. 43, 1972.

(3) Any inspector shall exhibit the certificate referred to in subsection (2) to any person affected by the exercise or the performance by such inspector of any power or function referred to in subsection (4).

(4) Any inspector may—

- (a) without previous notice, at all reasonable times enter any dental laboratory;
- (b) examine any book, writing or document which relates to the performance of any act specially pertaining to the work of a dental mechanician;
- (c) question any person whom he reasonably believes to be in possession of information relating to the performance of any act specially pertaining to the work of a dental mechanician or any contravention or alleged contravention of any provision of this Act;
- (d) require the production of any account, invoice or other document issued by any person in connection with the performance of any act specially pertaining to the work of a dental mechanician and require an explanation of any entry therein from such person or the custodian thereof;
- (e) make extracts from and copies of any book, writing, document, account or invoice referred to in paragraphs (b) and (d) and for the purposes of any proceedings against any person, seize any such book, writing, document, account or invoice.”.

16. The following section is hereby substituted for section 29 of the principal Act:

Substitution of
section 29 of
Act 30 of 1945.

“**Penalties.** **29.** (1) Any person who—

- (a) contravenes or fails to comply with the provisions of section 16, 17 or 19; or
- (b) contravenes or fails to comply with any condition of a permit issued under section 19; or
- (c) (i) hinders or obstructs an inspector in the exercise of his powers or the performance of his duties under section 28A; or
- (ii) without valid excuse refuses or fails to answer to the best of his ability any question which any inspector in the exercise of his powers or the performance of his duties under the said section has put to him; or
- (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; or
- (iv) wilfully furnishes to any inspector any information which is false or misleading,

shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or to imprisonment for a period not exceeding twelve months.

(2) Any person who contravenes or fails to comply with—

- (a) the provisions of section 10, 18 or 20; or
- (b) any provision of a contract of employment or apprenticeship registered under this Act; or

Wet No. 43, 1972**WYSIGINGSWET OP TANDWERKTUIGKUNDIGES, 1972.**

- (c) die bepalings van subartikel (8), (10) of (11) van artikel 14 of artikel 15 van die Wet op Vakleerlinge, 1944 (Wet No. 37 van 1944), soos deur artikel 27 (2) van hierdie Wet toegepas,
oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens honderd rand of met gevangenisstraf vir 'n tydperk van hoogstens ses maande.”.

Vervanging van artikel 30 van Wet 30 van 1945.

17. Artikel 30 van die Hoofwet word hierby deur die volgende artikel vervang:

„Verbeurd-verklaring. **30.** Die hof wat iemand aan 'n oortreding van artikel 16, 17 of 19 skuldig bevind, of aan 'n versuim om aan die voorwaardes van 'n permit kragtens artikel 19 (3) uitgereik, te voldoen, kan enige ongemonteerde kunstante in verband waarmee die misdryf plaasgevind het, of 'n stof wat vir die doelendes van of in verband met die oortreding gebruik is, aan die Staat verbeurd verklaar en sodanige tande of stof kan dan verkoop of andersins van die hand gesit word, soos die Minister gelas.”.

Wysiging van artikel 32 van Wet 30 van 1945.

18. Artikel 32 (1) van die Hoofwet word hierby gewysig—

(a) deur paragrawe (d), (e) en (f) deur onderskeidelik die volgende paragrawe te vervang:

„(d) die pligte en bevoegdhede van die registrator en ander beampies van die raad;
(e) die vorm van die registers wat ingevolge artikel 11 en 11A gehou moet word en van sertifikate wat ingevolge hierdie Wet uitgereik kan word;
(f) die vorms wat ingeval en die dokumente wat ingestuur moet word deur applikante vir registrasie of vir herstel op die registers wat kragtens artikels 11 en 11A gehou word;”;

(b) deur na paragraaf (f) die volgende paragrawe in te voeg:

„(fA) die gelde betaalbaar deur persone wat om registrasie kragtens artikel 11A aansoek doen, die bewys van die standaard van algemene opvoeding wat deur sodanige persone bereik is en die ander besonderhede wat deur sodanige persone voorgelê moet word;
(fB) die verwydering van die register wat kragtens artikel 11A gehou word van die name van persone wat hul studies en praktiese opleiding in tandwerkligkunde voltooi het of wat sodanige studies of opleiding laat vaar het;” en

(c) deur die volgende paragrawe na paragraaf (g) in te voeg:

„(gA) die goedkeuring deur die raad van inrigtingsgoorioof om studiekursusse in tandwerkligkunde aan te bied en die voorwaardes wat die raad mag ople by die goedkeuring van sodanige inrigtings;
(gB) die standaard van algemene opvoeding wat vereis word van persone wat toegelaat mag word om tandwerkligkunde aan goedgekeurde inrigtings te bestudeer;

(gC) die goedkeuring deur die raad van laboratoria vir tandkundige werk waar persone praktiese opleiding in tandwerkligkunde mag ontvang; die plaasruimte, geriewe, uitrusting en materiaal waarvoor in sodanige laboratoria voorsiening gemaak moet word en die inspeksie van sodanige laboratoria;

DENTAL MECHANICIANS AMENDMENT ACT, 1972. Act No. 43, 1972

- (c) the provisions of subsection (8), (10) or (11) of section 14 or section 15 of the Apprenticeship Act, 1944 (Act No. 37 of 1944), as applied by section 27 (2) of this Act,

shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred rand or to imprisonment for a period not exceeding six months.”.

17. The following section is hereby substituted for section 30 of the principal Act:

Substitution of
section 30 of
Act 30 of 1945.

“Forfeiture. **30.** The court convicting any person of a contravention of section 16, 17 or 19, or of a failure to comply with the conditions of a permit issued under section 19 (3), may declare any unmounted artificial teeth with reference to which the contravention has taken place, or any materials used for the purposes of or in connection with the contravention to be forfeited to the State and such teeth or materials may thereupon be sold or otherwise disposed of as the Minister may direct.”.

18. Section 32 (1) of the principal Act is hereby amended—

Amendment of
section 32 of
Act 30 of 1945.

- (a) by the substitution for paragraphs (d), (e) and (f) of the following paragraphs, respectively:

- “(d) the duties and powers of the registrar and other officers of the board;
- (e) the form of the registers to be kept under section 11 and 11A, and of certificates issuable under this Act;
- (f) the forms to be filled in and the documents to be submitted by applicants for registration or for restoration to the registers kept under sections 11 and 11A;”;

- (b) by the insertion after paragraph (f) of the following paragraphs:

“(fA) the fees payable by persons applying for registration under section 11A, the proof of the standard of general education attained by such persons and the other particulars to be submitted by such persons;

“(fB) the removal from the register kept under section 11A of the names of persons who have completed their studies and practical training in dental mechanics or who have abandoned such studies or training;”; and

- (c) by the insertion after paragraph (g) of the following paragraphs:

“(gA) the approval by the board of the institutions permitted to offer courses of study in dental mechanics and the conditions which the board may impose in approving such institutions;

“(gB) the standard of general education required of persons who may be permitted to study dental mechanics at approved institutions;

“(gC) the approval by the board of dental laboratories where persons may undergo practical training in dental mechanics; the accommodation, facilities, equipment and material to be provided in such laboratories and the inspection of such laboratories;

Wet No. 43, 1972**WYSIGINGSWET OP TANDWERKTUIGKUNDIGES, 1972.**

- (gD) die inligting wat aan die raad verstrek moet word deur persone aan die hoof van goedgekeurde inrigtings of goedgekeurde laboratoria vir tandkundige werk ten opsigte van persone wat—
 (a) tandwerkstuigkunde aan sodanige inrigtings bestudeer of praktiese opleiding in sodanige laboratoria ontvang; of
 (b) hul studies of praktiese opleiding in tandwerkstuigkunde aan sodanige inrigtings of in sodanige laboratoria voltooi of laat vaar het;
 (gE) die voorwaardes waaronder tandwerkstuigkundiges aanvullende kursusse mag bywoon, die gelde betaalbaar vir sodanige bywoning, die aanstelling van en die bedrae betaalbaar aan lektore, en vir enige ander aangeleentheid wat op sodanige aanvullende kursusse betrekking het.”.

Vervanging in
Wet 30 van 1945
van „Goewerneur-
generaal” en
„Unie” deur
onderskeidelik
„Staatspresident”
en „Republiek”.

Kort titel en
inwerkingtreding.

19. Die Hoofwet word hierby gewysig deur die woord „Goewerneur-generaal”, oral waar dit voorkom, uitgesonderd in artikel 36, deur die woord „Staatspresident” te vervang, en deur die woord „Unie” oral waar dit voorkom deur die woord „Republiek” te vervang.

20. Hierdie Wet heet die Wysigingswet op Tandwerkstuigkundiges, 1972, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

DENTAL MECHANICIANS AMENDMENT ACT, 1972.

Act No. 43, 1972

- (gD) the information to be rendered to the board by persons in charge of approved institutions or approved dental laboratories in respect of persons who—
(a) are studying dental mechanics at such institutions or are undergoing practical training in such laboratories; or
(b) have completed or abandoned their studies or practical training in dental mechanics at such institutions or in such laboratories;
- (gE) the conditions subject to which dental mechanicians may attend supplementary courses, the fees payable for such attendance, the appointment of and the fees payable to lecturers, and in relation to any other matter pertaining to such supplementary courses;".

19. The principal Act is hereby amended by the substitution in for the word "Governor-General", wherever it occurs, except for "Governor- in section 36, of the words "State President", and by the General" and substitution for the word "Union", wherever it occurs, of the "Union" of word "Republic". "State President" and "Republic" respectively.

20. This Act shall be called the Dental Mechanicians Amend- Short title and ment Act, 1972, and shall come into operation on a date to be commencement. fixed by the State President by notice in the *Gazette*.

PRINTED FOR THE GOVERNMENT PRINTER, PRETORIA, BY CAPE & TRANSVAAL PRINTERS LTD., CAPE TOWN—B252/15 000.
GEDRUK VIR DIE STAATSDRUKKER, PRETORIA, DEUR KAAP & TRANSVAAL DRUKKERS BPK., KAAPSTAD—B252/15 000.

ISBN 0 621 00053 1