

Dentistry Act, 1991
Loi de 1991 sur les dentistes

ONTARIO REGULATION 205/94
GENERAL

Consolidation Period: From August 27, 2007 to the [e-Laws currency date](#).

Last amendment: O. Reg. 500/07.

This Regulation is made in English only.

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PART I (ss. 1-5) REVOKED: O. Reg. 272/00, s. 1.

PART II
FUNDING FOR THERAPY AND COUNSELLING

6. In this Part,

“member” includes a former member. O. Reg. 186/99, s. 1.

7. The Patient Relations Committee shall determine whether a person is eligible for funding under clause 85.7 (4) (a) of the Health Professions Procedural Code or under section 8. O. Reg. 186/99, s. 1.

8. (1) For the purposes of clause 85.7 (4) (b) of the Health Professions Procedural Code, the alternative requirements for a person to be eligible for funding for therapy and counselling are,

(a) that the person must submit to the Patient Relations Committee a completed application form provided by the Committee which shall include the name of the member whose conduct may entitle the person to funding; and

(b) that any of the circumstances described in subsection (2) exist. O. Reg. 186/99, s. 1.

(2) The circumstances in which a person may be eligible for funding are as follows:

1. There is an admission by a member, as part of a statement to or an agreement with the College, that the person, while a patient, was sexually abused by the member.
2. There is a finding by a court that the person, while a patient, was sexually assaulted, within the meaning of the *Criminal Code* (Canada), by a member.
3. There is a finding made by a panel of the Discipline Committee on or after December 31, 1993 that conduct of a sexual nature had occurred between the person and a member before December 31, 1993, while the person was a patient of the member, and that such conduct resulted in a finding of professional misconduct or incompetence against the member.

4. There is an allegation that the person was sexually abused by a member while a patient of the member, which allegation has been referred to a panel of the Discipline Committee for a hearing but the hearing is not held for one of the following reasons:
 - i. The member has died or the College believes that the member may have died or that the member cannot be located.
 - ii. The member is incapacitated.
 - iii. The member's certificate of registration was revoked for misconduct of a sexual nature toward a patient before the allegations in respect of the person were heard by a panel of the Discipline Committee. O. Reg. 186/99, s. 1.

PART III AMALGAM WASTE DISPOSAL

9. (1) The document entitled the "Standard of Practice of the Profession for Amalgam Waste Disposal", as published and amended from time to time by the College, is prescribed as a standard of practice for the profession, for the purpose of reducing the amount of dental amalgam which directly or indirectly enters the sewage system through wastewater from dental offices. O. Reg. 196/03, s. 1.

(2) The College shall ensure that the Standard of Practice and amendments to it are circulated among the members. O. Reg. 196/03, s. 1.

(3) Each member who owns or controls a dental practice in Ontario, whether directly or indirectly, including ownership or control through a health profession corporation or other corporation shall,

- (a) ensure that every dental office maintained by a member in Ontario in which any dental amalgam is placed, repaired or removed has a properly installed dental amalgam device which meets or exceeds the standard entitled "Dental Equipment-Amalgam Separators" made by the International Organization for Standardization;
- (b) ensure that in every dental office maintained by a member in Ontario in which any dental amalgam is placed, repaired or removed, the amalgam waste is properly disposed of; and
- (c) ensure that the Standard of Practice is complied with. O. Reg. 196/03, s. 1.

(4) A member who, in Ontario, places, repairs or removes for a patient any dental amalgam or authorizes the placement, repair or removal for a patient of any dental amalgam, but who does not own or control, either directly or indirectly, the dental practice in which the placement, repair or removal is being performed shall take all reasonable steps to ensure that the requirements of subsection (3) and of the Standard of Practice are being complied with. O. Reg. 196/03, s. 1.

(5) A member shall not, in Ontario, place, repair or remove for any patient any dental amalgam or authorize the placement, repair or removal for a patient of any dental amalgam where the member knows, or reasonably ought to know, that the requirements of subsection (3) and of the Standard of Practice have not been complied with. O. Reg. 196/03, s. 1.

PART IV REGISTRATION INTERPRETATION

10. In this Part,

"dental internship program" means a non-specialty residency program;

"dental residency program" means a specialty program in dental anaesthesia, oral and maxillofacial surgery, oral pathology, oral medicine or oral medicine and pathology. O. Reg. 407/04, s. 1; O. Reg. 500/07, s. 1.

GENERAL REQUIREMENTS AND CONDITIONS

11. (1) A person may apply for a certificate of registration by submitting a completed application for the class of certificate for which the application is made, in a form provided by the College, together with the application fee required by the by-laws of the College. O. Reg. 407/04, s. 1.

(2) A separate application fee is payable for each class of certificate and is non-refundable. O. Reg. 407/04, s. 1.

12. It is a requirement for the issuing of a certificate of registration of any class that the applicant pay the following fees, in addition to the application fee:

1. The registration fee required by the by-laws of the College.
2. The annual fee, if any, for the year in which the certificate is issued, as required by the by-laws of the College. O. Reg. 407/04, s. 1.

13. (1) The following are the classes of certificates of registration:

1. General.
2. Specialty.

3. Academic.
4. Education.
5. Post-Specialty Training.
6. Graduate Student.
7. Academic Visitor.
8. Instructional.
9. Short Duration. O. Reg. 407/04, s. 1.

(2) The holder of a specialty certificate of registration is authorized to practise one of the following specialties, as indicated on the certificate, and subject to any other terms, conditions or limitations:

- 0.1 Dental anaesthesia.
 1. Endodontics.
 2. Oral and maxillofacial surgery.
 3. Oral medicine.
 4. Oral pathology.
 5. Oral and maxillofacial radiology.
 6. Orthodontics and dentofacial orthopaedics.
 7. Paediatric dentistry.
 8. Periodontics.
 9. Prosthodontics.
10. Public health dentistry. O. Reg. 407/04, s. 1; O. Reg. 500/07, s. 2.

14. (1) It is a requirement for the issuing of a certificate of registration of any class that in the opinion of the Registrar or of the Registration Committee, as the case may be, the applicant's past and present conduct afford reasonable grounds for the belief that the applicant,

- (a) is mentally competent and physically able to safely practise dentistry;
- (b) will practise dentistry with decency, integrity and honesty and in accordance with the law;
- (c) has sufficient knowledge, skill and judgment to competently engage in the kind of dental practice authorized by the certificate;
- (d) can communicate effectively; and
- (e) will display an appropriate professional attitude. O. Reg. 407/04, s. 1.

(2) An applicant shall be deemed not to have satisfied the requirements for the issuing of a certificate of registration if the applicant made a false or misleading statement or representation in respect of his or her application. O. Reg. 407/04, s. 1.

15. It is a condition of a certificate of registration of any class that the member provide the College with details of the following that relate to the member and that occur or arise after the member is registered:

1. A finding of guilt in relation to a criminal offence or an offence under the *Controlled Drugs and Substances Act* (Canada) or the *Food and Drugs Act* (Canada).
2. Where the member is registered or licensed to practise dentistry in another jurisdiction, an investigation or proceeding for professional misconduct, incompetence, incapacity or a similar investigation or proceeding.
3. Where the member is registered or licensed to practise dentistry in another jurisdiction, a finding of professional misconduct, incompetence, incapacity or a similar finding. O. Reg. 407/04, s. 1.

GENERAL CERTIFICATE

16. (1) Subject to section 17, the additional requirements for the issuing of a general certificate of registration are the following:

1. The applicant has a degree in dentistry evidencing successful completion of a course in dental studies of at least four years duration at a university-based dental school.
2. The applicant,
 - i. holds a Certificate of the National Dental Examining Board of Canada issued before January 1, 1994,

ii. has successfully completed the National Dental Examining Board of Canada examinations leading to a Certificate of the National Dental Examining Board of Canada at a time when those examinations were approved by the College, or

iii. satisfies the Registration Committee that he or she,

A. has possessed a non-restricted status with regard to the general practice of dentistry in the United States of America for a period of more than seven years, and

B. has successfully completed a qualifying examination to test the applicant's knowledge, judgment and clinical competence in general dentistry that was set or approved by the Registration Committee at the time the applicant took it.

3. Since the applicant satisfied the requirement of paragraph 2, there has been no three-year period during which the applicant has not engaged in the practice of dentistry on a continuous and regular basis in Canada or the United States of America.

4. The applicant is able to demonstrate the ability to speak and write either English or French with reasonable fluency.

5. The applicant has successfully completed an examination in ethics and jurisprudence set or approved by the College.

6. The applicant is a Canadian citizen or a permanent resident of Canada or has received the appropriate authorization under the *Immigration and Refugee Protection Act* (Canada) to permit the applicant to engage in the practice of dentistry in Canada as authorized by the certificate. O. Reg. 407/04, s. 1.

(2) The requirement of paragraph 2 of subsection (1) is non-exemptible. O. Reg. 407/04, s. 1.

(3) For the purposes of sub-subparagraph 2 iii A of subsection (1), a person possesses a "non-restricted status" if he or she holds a licence, permit, certificate or registration in dentistry issued by an authority responsible for the regulation of dentistry in a jurisdiction of the United States of America that is not subject to any restrictions, terms, conditions or limitations,

(a) relating to the person's ability to practise independently;

(b) requiring the person to practise under supervision or direction;

(c) requiring the person to maintain a position or appointment;

(d) requiring the person to practise in a part of the jurisdiction;

(e) restricting the person to a temporary or time-limited status;

(f) imposed by the jurisdiction's dental regulatory authority or any committee or panel of that authority as a result of a disciplinary, registration, fitness to practise or similar proceeding; or

(g) to which the person was made subject by agreement between the person and the dental regulatory authority. O. Reg. 407/04, s. 1.

17. (1) The requirement of paragraph 2 of subsection 16 (1) is not applicable to an applicant for a general certificate of registration who at the time of application possesses a non-restricted status in a province or territory of Canada and who obtained that status before July 1, 2001, if the applicant meets all of the following requirements:

1. The applicant has complied with the continuing competency or quality assurance requirements of the dental regulatory authority in the province or territory in which the applicant possesses the non-restricted status.

2. There is no information to suggest that the applicant would be unable to meet the College's current quality assurance requirements.

3. There is no information to suggest that the applicant does not have sufficient knowledge, skill and judgment to competently engage in the dental practice authorized by the general certificate of registration for which he or she is applying.

4. The applicant's status as a dentist in any other jurisdiction is not encumbered or restricted in any way and the applicant is not the subject of a discipline or fitness to practise order or ongoing investigation or interim order or agreement as a result of a complaint, investigation or proceeding in any other jurisdiction. O. Reg. 407/04, s. 1.

(2) For the purposes of subsection (1), a person possesses a "non-restricted status" if the person holds a licence, permit, certificate or registration in dentistry issued by a provincial or territorial authority responsible for the regulation of dentistry in a province or territory in Canada that is not subject to any restrictions, terms, conditions or limitations,

(a) relating to the person's ability to practise independently;

(b) requiring the person to practise under supervision or direction;

(c) requiring the person to maintain a position or appointment;

(d) requiring the person to practise in a part of the geographical jurisdiction of the province or territory;

(e) restricting the person to a temporary or time-limited status;

- (f) imposed by the provincial or territorial dental regulatory authority or any committee or panel of that authority as a result of a disciplinary, registration, fitness to practise or similar proceeding; or
- (g) to which the person was made subject by agreement between the person and the dental regulatory authority. O. Reg. 407/04, s. 1.

SPECIALTY CERTIFICATE

18. (1) In this section,

“approved diploma or degree program” means a program taken in Canada or the United States of America that was, at the time the applicant commenced the program,

- (a) approved by the Commission on Dental Accreditation of Canada or recognized by the Commission under the terms of a reciprocal agreement, or
- (b) approved by another accreditation body designated by Council;

“National Dental Specialty Examination” means a National Dental Specialty Examination administered by the Royal College of Dentists of Canada that was approved by the College at the time the applicant took it. O. Reg. 407/04, s. 1; O. Reg. 500/07, s. 3 (1).

(2) Subject to section 19, the additional requirements for the issuing of a specialty certificate of registration are the following:

1. The applicant has a degree in dentistry evidencing successful completion of a course in dental studies of at least four years duration at a university-based dental school.
2. REVOKED: O. Reg. 500/07, s. 3 (2).
3. The applicant has successfully completed a specialty program referred to in subsection (3) for the specialty for which the authorization is sought.
4. The applicant has successfully completed one of the following:
 - i. the National Dental Specialty Examination for the specialty for which the applicant is seeking a specialty certificate of registration, or
 - ii. another specialty examination set or approved by the College for the specialty for which the applicant is seeking a specialty certificate of registration.
5. Since the applicant satisfied the requirement of paragraph 3, there has been no three-year period during which the applicant has not engaged in the practice of dentistry on a continuous and regular basis in Canada or the United States of America.
6. The applicant is able to demonstrate the ability to speak and write either English or French with reasonable fluency.
7. The applicant has successfully completed an examination in ethics and jurisprudence set or approved by the College.
8. The applicant is a Canadian citizen or a permanent resident of Canada or has received the appropriate authorization under the *Immigration and Refugee Protection Act* (Canada) to permit the applicant to engage in the practice of dentistry in Canada as authorized by the certificate. O. Reg. 407/04, s. 1; O. Reg. 500/07, s. 3 (2-4).

(3) The applicant shall have satisfied the requirement in paragraph 3 of subsection (2) if the applicant has completed,

(a) one of the following specialty programs:

(0.i) in the case of dental anaesthesia,

(A) an approved diploma or degree program in dental anaesthesia consisting of a minimum of 22 months of full-time instruction, or

(B) until three years have passed since an approved diploma or degree program in dental anaesthesia is introduced in Ontario, a program described in subsection (3.1), if the applicant also meets the requirements of subsection (3.2),

(i) in the case of endodontics, an approved diploma or degree program in endodontics consisting of a minimum of 22 months of full-time instruction,

(ii) in the case of oral and maxillofacial surgery, an approved diploma or degree program in oral and maxillofacial surgery consisting of a minimum of 48 months of full-time instruction,

(iii) in the case of oral medicine, an approved diploma or degree program in oral medicine consisting of a minimum of 33 months of full-time instruction,

(iv) in the case of oral pathology, an approved diploma or degree program in oral pathology consisting of a minimum of 33 months of full-time instruction,

- (v) in the case of oral and maxillofacial radiology, an approved diploma or degree program in oral and maxillofacial radiology consisting of a minimum of 22 months of full-time instruction,
 - (vi) in the case of orthodontics and dentofacial orthopaedics, an approved diploma or degree program in orthodontics and dentofacial orthopaedics consisting of a minimum of 22 months of full-time instruction,
 - (vii) in the case of paediatric dentistry, an approved diploma or degree program in paediatric dentistry consisting of a minimum of 22 months of full-time instruction,
 - (viii) in the case of periodontics, an approved diploma or degree program in periodontics consisting of a minimum of 22 months of full-time instruction,
 - (ix) in the case of prosthodontics, an approved diploma or degree program in prosthodontics consisting of a minimum of 22 months of full-time instruction,
 - (x) in the case of public health dentistry, an approved diploma or degree program in public health consisting of a minimum of 22 months of full-time instruction;
- (b) a specialty program that is not an approved diploma or degree program, if the applicant also holds a certificate of completion of a program that was approved by the College at the time the applicant commenced it that evidences the applicant's possession of knowledge, skill and judgment at least equivalent to that expected of a current graduate of an approved diploma or degree program in the specialty for which the application is being made;
- (c) a specialty program other than one mentioned in clause (a) or (b) if the applicant is a member holding an academic certificate of registration. O. Reg. 407/04, s. 1; O. Reg. 500/07, s. 3 (5, 6).
- (3.1) The program described in sub-subclause (3) (a) (0.i) (B) is a program in dental anaesthesia that included,
- (a) a minimum of 12 months of full-time instruction, if the applicant successfully completed it before 1986; or
 - (b) a minimum of 22 months of full-time instruction, if the applicant successfully completed it in or after 1986. O. Reg. 500/07, s. 3 (7).
- (3.2) For the purposes of sub-subclause (3) (a) (0.i) (B), the Registration Committee must be satisfied that the applicant possesses knowledge, skill and judgment at least equivalent to that expected of a current graduate of the specialty program in dental anaesthesia offered by the Faculty of Dentistry of the University of Toronto. O. Reg. 500/07, s. 3 (7).
- (4) A specialty certificate of registration is subject to the condition that the member may engage in the practice of dentistry only within the specialty to which the certificate relates unless the member holds,
- (a) an academic certificate of registration issued by the College before this section came into force; or
 - (b) a general certificate of registration. O. Reg. 407/04, s. 1.
- (5) The requirements in paragraphs 3 and 4 of subsection (2) are non-exemptible. O. Reg. 407/04, s. 1; O. Reg. 500/07, s. 3 (8).
- (6), (7) REVOKED: O. Reg. 500/07, s. 3 (9).

19. (1) The requirements of paragraphs 3 and 4 of subsection 18 (2) are not applicable to an applicant for a specialty certificate of registration who at the time the application is submitted possesses a non-restricted specialty status in a province or territory of Canada and who obtained that status before July 1, 2001, if the applicant meets all of the following requirements:

1. The applicant has complied with the continuing competency or quality assurance requirements of the dental regulatory authority in the province or territory in which the applicant possesses that non-restricted specialty status.
2. There is no information to suggest that the applicant would be unable to meet the College's current quality assurance requirements.
3. There is no information to suggest that the applicant does not have sufficient knowledge, skill and judgment to competently engage in the dental practice authorized by the specialty certificate of registration for which he or she is applying.
4. The applicant's status as a dentist in any other jurisdiction is not encumbered or restricted in any way and the applicant is not the subject of a discipline or fitness to practise order or ongoing investigation or interim order or agreement as a result of a complaint, investigation or proceeding in any other jurisdiction. O. Reg. 407/04, s. 1; O. Reg. 500/07, s. 4 (1).

(2) For the purposes of subsection (1), a person possesses a "non-restricted specialty status" if the person holds a licence, permit, certificate or registration in dentistry issued by a provincial or territorial authority responsible for the regulation of dentistry in a province or territory in Canada that permits the person to practise his or her dental specialty and to hold himself or herself out as a dental specialist in that province or territory in Canada, and that is not subject to any restrictions, terms, conditions or limitations,

- (a) relating to the person's ability to practise independently;

- (b) requiring the person to practise under supervision or direction;
 - (c) requiring the person to maintain a position or appointment;
 - (d) requiring the person to practise in a part of the geographical jurisdiction of the province or territory;
 - (e) restricting the person to a temporary or time-limited status;
 - (f) imposed by the provincial or territorial dental regulatory authority or any committee or panel of that authority as a result of a disciplinary, registration, fitness to practise or similar proceeding; or
 - (g) to which the person was made subject by agreement between the person and the dental regulatory authority. O. Reg. 407/04, s. 1.
- (3) A restriction that simply limits the person's practice to his or her dental specialty shall not be interpreted as a restriction, term, condition or limitation referred to in paragraph 4 of subsection (1) or subsection (2). O. Reg. 500/07, s. 4 (2).

ACADEMIC CERTIFICATE

- 20.** (1) The additional requirements for the issuing of an academic certificate of registration are the following:
- 1. The applicant has a degree in dentistry evidencing successful completion of a course in dental studies of at least four years duration at a university-based dental school.
 - 2. The applicant holds a full-time appointment of professorial rank to a faculty or school of dentistry at a university in Ontario.
 - 3. The applicant is able to demonstrate the ability to speak and write either English or French with reasonable fluency.
 - 4. The applicant has successfully completed an examination in ethics and jurisprudence set or approved by the College.
 - 5. The applicant is a Canadian citizen or a permanent resident of Canada or has received the appropriate authorization under the *Immigration and Refugee Protection Act* (Canada) to permit the applicant to engage in the practice of dentistry in Canada as authorized by the certificate. O. Reg. 407/04, s. 1.
- (2) An academic certificate of registration is subject to the following terms, conditions and limitations:
- 1. The certificate is automatically revoked when the member ceases to hold an appointment of professorial rank to a faculty or school of dentistry at a university in Ontario.
 - 2. The member may engage in the practice of dentistry only in the faculty or school of dentistry or in a hospital or other facility formally associated with that faculty or school.
 - 3. The member may not charge a fee for the performance of any act within the scope of practice of dentistry. O. Reg. 407/04, s. 1.
- (3) Paragraphs 2 and 3 of subsection (2) do not apply to a holder of an academic certificate issued before this section came into force. O. Reg. 407/04, s. 1.
- (4) Paragraph 3 of subsection (2) shall not be interpreted as in any way affecting the ability of the faculty or school of dentistry or hospital or facility formally associated with that faculty or school to charge fees for services which it has provided. O. Reg. 407/04, s. 1.

EDUCATION CERTIFICATE

- 21.** (1) The additional requirements for the issuing of an education certificate of registration are the following:
- 1. The applicant has a degree in dentistry evidencing successful completion of a course in dental studies of at least four years duration at a university-based dental school.
 - 2. The applicant is able to demonstrate the ability to speak and write either English or French with reasonable fluency.
 - 3. The applicant,
 - i. has a written offer of admission to a public hospital-based dental internship or dental residency program accredited by the Commission on Dental Accreditation of Canada or by another accreditation body designated by Council, or
 - ii. has a written offer of admission to a dental educational program approved by a faculty or school of dentistry at a university in Ontario, other than one referred to in subparagraph i, and that program is,
 - A. accredited either by the Commission on Dental Accreditation of Canada or by another accreditation body designated by Council, or
 - B. approved by the Registration Committee.

4. The applicant is a Canadian citizen or a permanent resident of Canada or has received the appropriate authorization under the *Immigration and Refugee Protection Act* (Canada) to permit the applicant to engage in the practice of dentistry in Canada as authorized by the certificate. O. Reg. 407/04, s. 1.
- (2) An education certificate of registration is subject to the following terms, conditions and limitations:
 1. The certificate is automatically revoked when the member ceases to hold the internship, residency or position referred to in subparagraph 3 i or ii of subsection (1) or when the program terminates.
 2. The certificate for all members other than those who are enrolled in a dental residency program expires 12 months following its issuance unless extended by the Registration Committee.
 3. The member may engage in the practice of dentistry only within the scope of the internship or residency program or the position to which the certificate relates.
 4. The member may practise only under the direction of,
 - i. a member of the medical or dental staff of the hospital in which the member is an intern or resident, or
 - ii. a member who is also a member of the academic staff of the faculty or school of dentistry that approved the position.
 5. The member may not charge a fee for the performance of any act within the scope of practice of dentistry. O. Reg. 407/04, s. 1.
- (3) The Registration Committee may extend the duration of an education certificate of registration for up to three additional months on any terms and conditions it considers appropriate, if the Committee is satisfied that there is an appropriate reason for doing so. O. Reg. 407/04, s. 1.
- (4) The requirement of paragraph 3 of subsection (1) is non-exemptible. O. Reg. 407/04, s. 1.
- (5) Paragraph 5 of subsection (2) shall not be interpreted as in any way affecting the ability of the faculty or school of dentistry or hospital or facility formally associated with that faculty or school to charge fees for services which it has provided. O. Reg. 407/04, s. 1.

POST-SPECIALTY TRAINING CERTIFICATE

- 22.** (1) In this section, the term “specialty” when used in the word “post-specialty” includes but is not limited to the dental specialties referred to in subsection 13 (2). O. Reg. 407/04, s. 1.
- (2) The additional requirements for the issuing of a post-specialty training certificate of registration are the following:
 1. The applicant has a degree in dentistry evidencing successful completion of a course in dental studies of at least four years duration at a university-based dental school.
 2. The applicant is able to demonstrate the ability to speak and write either English or French with reasonable fluency.
 3. The applicant,
 - i. has successfully completed either an approved diploma or degree program listed in clause 18 (3) (a) or an advanced training program approved by the Registration Committee, or
 - ii. has satisfied the Registration Committee that he or she has successfully completed a specialty program which the Registration Committee determines is equivalent to a program listed in clause 18 (3) (a).
 4. The applicant has a written offer of an appointment to a program of post-specialty dental education from a faculty or school of dentistry at a university in Ontario, which program has emphasis on additional clinical training or research or both, to gain further education relevant to that applicant’s specialty.
 5. The applicant has provided,
 - i. a detailed summary of the program including a list of all activities within the scope of practice of dentistry which he or she wishes to be authorized to perform, and
 - ii. a letter from a member who belongs to the academic staff of the faculty or school of dentistry responsible for the program confirming the accuracy of the summary referred to in subparagraph i and agreeing to be responsible for the applicant’s program.
 6. The applicant is a Canadian citizen or a permanent resident of Canada or has received the appropriate authorization under the *Immigration and Refugee Protection Act* (Canada) to permit the applicant to engage in the practice of dentistry in Canada as authorized by the certificate. O. Reg. 407/04, s. 1.
 - (3) A post-specialty training certificate of registration is subject to the following terms, conditions and limitations:
 1. The member may perform acts in the practice of dentistry only within the scope of the program to which the certificate relates, and,

- i. in respect of any clinical practice, shall practise under the supervision of a member of the academic staff of the faculty or school of dentistry who is also a member of the College and who holds a specialty certificate of registration in the specialty to which the program relates,
 - ii. in respect of any research or other non-clinical practice, shall perform only those activities specifically permitted by the Registration Committee and only under the direction of the member referred to in subparagraph 5 ii of subsection (2).
2. The member may engage in the practice of dentistry only in the faculty or school of dentistry or in a hospital or other facility formally associated with that faculty or school.
 3. Unless specifically authorized by the terms of the certificate, the member shall not teach dental students or supervise or direct any person respecting any activity within the scope of practice of dentistry.
 4. The certificate shall have a specified duration equal to the expected length of the program, but not exceeding 12 months, after which the certificate automatically expires unless extended by the Registration Committee.
 5. The certificate is automatically revoked if the member ceases to hold the appointment referred to in paragraph 4 of subsection (2) or when the program terminates.
 6. The member may not charge a fee for the performance of any act within the scope of practice of dentistry. O. Reg. 407/04, s. 1.
- (4) The Registration Committee may extend the duration of the post-specialty training certificate of registration for up to three additional months on any terms and conditions it considers appropriate if the Committee is satisfied that there is an appropriate reason for doing so. O. Reg. 407/04, s. 1.
- (5) Nothing in paragraph 6 of subsection (3) shall be interpreted as in any way affecting the ability of the faculty or school of dentistry or hospital or other facility formally associated with that faculty or school to charge fees for services which it has provided. O. Reg. 407/04, s. 1.

GRADUATE STUDENT CERTIFICATE

- 23.** (1) The additional requirements for the issuing of a graduate student certificate of registration are the following:
1. The applicant has a degree in dentistry evidencing successful completion of a course in dental studies of at least four years duration at a university-based dental school.
 2. The applicant is able to demonstrate the ability to speak and write either English or French with reasonable fluency.
 3. The applicant,
 - i. has been accepted for enrolment as a student in a faculty or school of dentistry at a university in Ontario in a graduate or postgraduate dental program of study accredited by the Commission on Dental Accreditation of Canada or another accreditation body approved by Council, other than a dental internship or dental residency program,
 - ii. has been accepted for enrolment as a student in a faculty or school of dentistry at a university in Ontario in a graduate or postgraduate dental program of study approved by Council, other than a dental internship or dental residency program, or
 - iii. has been accepted for enrolment as a Masters or PhD student in a faculty or school of dentistry at a university in Ontario in a program, other than a dental internship or dental residency program, and has satisfied the Registration Committee that,
 - A. the Masters or PhD program requires the student to perform an act or acts authorized to members, and
 - B. he or she has sufficient clinical training to safely and competently perform the authorized acts associated with the program.
 4. In respect of an applicant accepted for enrolment in a program referred to in subparagraph 3 iii, the applicant has provided,
 - i. a detailed summary of the program including a list of all activities within the scope of practice of dentistry which he or she wishes to be able to perform,
 - ii. a letter from a member who belongs to the academic staff of the faculty or school of dentistry confirming the accuracy of the summary referred to in subparagraph i and agreeing to be responsible for the applicant's program, and
 - iii. a written undertaking to the College in a form satisfactory to the Registration Committee in which the applicant,
 - A. agrees to perform only those activities within the scope of practice of dentistry that are specifically permitted by the Registration Committee,

- B. agrees to perform those activities referred to in sub-subparagraph A under the supervision of the member referred to in subparagraph ii, and
 - C. agrees to any other terms, conditions and limitations that the Registration Committee considers appropriate to satisfy it that any activity undertaken by the applicant within the scope of practice of dentistry will be performed safely and competently.
5. The applicant is a Canadian citizen or a permanent resident of Canada or has received the appropriate authorization under the *Immigration and Refugee Protection Act (Canada)* to permit the applicant to engage in the practice of dentistry in Canada as authorized by the certificate. O. Reg. 407/04, s. 1.
- (2) A graduate student certificate of registration is subject to the following terms, conditions and limitations:
- 1. In respect of an applicant,
 - i. who meets the requirements of subparagraph 3 i or ii of subsection (1), the member may engage in the practice of dentistry only as may be required for the program of studies in which he or she is enrolled and only under the supervision of a member of the dental facility or dental school who is also a member of the College,
 - ii. who meets the requirements of subparagraph 3 iii of subsection (1), the member shall perform only those activities within the scope of practice of dentistry that are specifically permitted by the Registration Committee and only under the supervision of the member referred to in subparagraph 4 ii of subsection (1).
 - 2. The member may engage in the practice of dentistry only in the faculty or school of dentistry or in a hospital or other facility formally associated with that faculty or school.
 - 3. Unless specifically authorized by the terms of the certificate, the member shall not teach dental students or supervise or direct any person respecting any activity within the scope of practice of dentistry.
 - 4. The certificate is automatically revoked when the member ceases to be enrolled in the program referred to in paragraph 3 of subsection (1) or when the program terminates.
 - 5. The member may not charge a fee for the performance of any act within the scope of practice of dentistry. O. Reg. 407/04, s. 1.
- (3) The requirement of paragraph 3 of subsection (1) is non-exemptible. O. Reg. 407/04, s. 1.
- (4) Paragraph 5 of subsection (2) shall not be interpreted as in any way affecting the ability of the faculty or school of dentistry or hospital or other facility formally associated with that faculty or school to charge fees for services which it has provided. O. Reg. 407/04, s. 1.

ACADEMIC VISITOR CERTIFICATE

24. (1) The additional requirements for the issuing of an academic visitor certificate of registration are the following:
- 1. The applicant has a degree in dentistry evidencing successful completion of a course in dental studies of at least four years duration at a university-based dental school.
 - 2. The applicant has satisfied the Registration Committee that he or she has an established scholarly career in dental teaching or dental research at a dental school outside Ontario and a permanent appointment to the academic staff of a university-based dental school primarily for the purpose of teaching or research.
 - 3. The applicant has an appointment by the Director of a dental school of a university in Ontario or the Dean of a faculty of dentistry of a university in Ontario to provide undergraduate, graduate or postgraduate dental education or dental research or both for a specified period of time that does not exceed 12 months.
 - 4. The applicant has provided an undertaking to the College in a form acceptable to the Registrar that he or she will meet the dental school's expectation that the applicant will return to the appointment referred to in paragraph 2 upon the expiry of this certificate.
 - 5. The applicant has not held a certificate of this class during the previous 12 months.
 - 6. The applicant is a Canadian citizen or a permanent resident of Canada or has received the appropriate authorization under the *Immigration and Refugee Protection Act (Canada)* to permit the applicant to engage in the practice of dentistry in Canada as authorized by the certificate. O. Reg. 407/04, s. 1.
- (2) An academic visitor certificate of registration is subject to the following terms, conditions and limitations:
- 1. The member may engage in the practice of dentistry only in the faculty or school of dentistry to which his or her appointment relates or in a teaching unit formally affiliated with that faculty or school of dentistry and only to the extent required by the teaching or research requirements of that appointment.
 - 2. The certificate automatically expires 12 months from the date of its issuance unless extended by the Registration Committee.
 - 3. The certificate is automatically revoked,

- i. if the appointment referred to in paragraph 3 of subsection (1) expires, is withdrawn or otherwise terminates, or
 - ii. if the member ceases to hold the appointment referred to in paragraph 2 of subsection (1).
4. The member may not charge a fee for the performance of any act within the scope of practice of dentistry. O. Reg. 407/04, s. 1.

(3) The Registration Committee may extend the duration of the academic visitor certificate of registration for up to three additional months on any terms and conditions that it considers appropriate if the Committee is satisfied that there is an appropriate reason for doing so. O. Reg. 407/04, s. 1.

(4) Paragraph 4 of subsection (2) shall not be interpreted as in any way affecting the ability of the faculty or school of dentistry or teaching unit formally affiliated with that faculty or school of dentistry to charge fees for services which it has provided. O. Reg. 407/04, s. 1.

INSTRUCTIONAL CERTIFICATE

25. (1) The additional requirements for the issuing of an instructional certificate of registration are the following:

- 1. The applicant has a degree in dentistry evidencing successful completion of a course in dental studies of at least four years duration at a university-based dental school.
- 2. The applicant has a written offer to teach or conduct a course sponsored by a faculty or school of dentistry at a university in Ontario, a public hospital in Ontario, or a body approved by Council to sponsor courses.
- 3. The applicant has provided an undertaking to the College in a form satisfactory to the Registrar from a member of the College holding a general, specialty or academic certificate of registration in which the member undertakes to be present while the applicant engages in practice in Ontario and to ensure that any necessary follow up care which may be required by a patient, as a result of the treatment performed during the course by the applicant, is provided. O. Reg. 407/04, s. 1.

(2) An instructional certificate of registration is subject to the following terms, conditions and limitations:

- 1. The member may engage in the practice of dentistry only as may be required to teach or conduct the course for which the certificate was issued.
- 2. The certificate may be issued only for courses having a duration of 14 days or less.
- 3. The certificate shall specify an expiry date which shall be the day after the day upon which the course referred to in paragraph 1 is scheduled to end.
- 4. The certificate automatically expires when the course for which it was issued ends.
- 5. The member may not charge a fee to a patient for the performance of any act within the scope of practice of dentistry. O. Reg. 407/04, s. 1.

SHORT DURATION

26. (1) The additional requirements for a short duration certificate of registration are the following:

- 1. The applicant is registered or licensed to practise independently and without restriction or condition as a dentist in Canada or the United States of America.
- 2. The applicant is registered to take a course sponsored by a faculty or school of dentistry of a university in Ontario, a public hospital in Ontario, or a body approved by Council to sponsor courses.
- 3. The applicant has provided a written undertaking to the College in a form satisfactory to the Registrar from a member of the College who holds a general, academic or specialty certificate of registration agreeing to ensure that any necessary follow up care which may be required by a patient, as a result of the treatment performed during the course by the applicant, is provided. O. Reg. 407/04, s. 1.

(2) A short duration certificate of registration is subject to the following terms, conditions and limitations:

- 1. The member may engage in the practice of dentistry only as required for the course for which the certificate was issued.
- 2. The member may engage in the practice of dentistry only under the direct supervision of a member who holds a general, specialty or instructional certificate of registration.
- 3. The certificate may be issued only for courses having a duration of 14 days or less.
- 4. The certificate shall specify an expiry date which shall be the day after the day upon which the course referred to in paragraph 1 is scheduled to end.
- 5. The certificate automatically expires when the course for which it was issued ends.

6. The member may not charge a fee for the performance of any act within the scope of practice of dentistry. O. Reg. 407/04, s. 1.

RESIGNATIONS, SUSPENSIONS AND REINSTATEMENTS

27. (1) If the Registrar suspended a member's certificate of registration for failure to pay a fee that is required by the by-laws of the College or that was previously prescribed by regulation, the Registrar may lift the suspension if the member applies within two years of the suspension and pays all fees required by the by-laws. O. Reg. 407/04, s. 1.

(2) If a suspension under subsection (1) continues for two years, the certificate of registration is automatically revoked. O. Reg. 407/04, s. 1.

(3) A member whose certificate was revoked under subsection (2) may apply for reinstatement. O. Reg. 407/04, s. 1.

28. (1) A member may resign by giving notice in writing to the College. O. Reg. 407/04, s. 1.

(2) A notice under subsection (1) is effective on the date the notice is received by the College or the date specified in the notice, whichever is later. O. Reg. 407/04, s. 1.

(3) A member who resigned may apply for reinstatement. O. Reg. 407/04, s. 1.

29. Where a former member's certificate of registration is ordered to be reinstated by a panel of the Discipline or Fitness to Practise Committee, the Registrar shall reinstate the member's certificate of registration upon receipt of the annual fee for the year in which the former member is to be reinstated, if not previously paid, and any other fees required by the by-laws of the College. O. Reg. 407/04, s. 1.

30. (1) A former member whose general, specialty or academic certificate of registration was revoked under subsection 27 (2) or was suspended for failure to pay a fee under section 24 of the Health Professions Procedural Code or who resigned as a member may apply for reinstatement of his or her general, specialty or academic certificate of registration by completing an application form supplied by the Registrar. O. Reg. 407/04, s. 1.

(2) The Registrar may reinstate the certificate of registration of a former member who applies under subsection (1) if all of the following conditions have been met:

1. The applicant pays the fees required by subsection (5).
2. The applicant is not a person who is ineligible for reinstatement as a result of subsection (6).
3. The application for reinstatement was made within two years of the date of the suspension or resignation. O. Reg. 407/04, s. 1.

(3) Where the Registrar refuses to reinstate a former member who applies under subsection (1), the application shall be referred by the Registrar to the Registration Committee. O. Reg. 407/04, s. 1.

(4) The Registration Committee may reinstate the certificate of registration of a former member whose application has been referred under subsection (3) if all of the following conditions have been met:

1. The applicant pays the fees required by subsection (5).
2. The applicant is not a person who is ineligible for reinstatement as a result of subsection (6). O. Reg. 407/04, s. 1.

(5) A former member whose certificate of registration is to be reinstated under subsection (2) or subsection (4) shall pay,

- (a) the fees required by the by-laws of the College;
- (b) the annual fee for the year in which the certificate of registration is reinstated, if not previously paid;
- (c) the annual fee for the year in which the certificate of registration was suspended or the year in which the former member resigned, if not already paid, unless the Registration Committee is satisfied that the member did not engage in the practice of dentistry in Ontario during that year; and
- (d) any money owed to the College at the time the applicant ceased to be a member of the College or that became due and owing at any time thereafter including, without being limited to, costs or expenses ordered to be paid by a panel of the discipline committee, costs awarded by a Court, and money owed to the College under a regulation or by-law or an order or decision of a statutory committee or a panel of a statutory committee. O. Reg. 407/04, s. 1.

(6) A person is ineligible for reinstatement if, during the period from immediately prior to when he or she ceased to be a member up to and including the date of receipt of the application for reinstatement, he or she,

- (a) was the subject of a proceeding for professional misconduct, incompetence or incapacity, whether in Ontario or in another jurisdiction either in relation to the dental profession or another health profession, other than a proceeding which was completed based upon its merits;
- (b) was the subject of an inquiry or investigation by the Registrar, a committee, a panel of a committee or board of inquiry of the College, which was not completed on its merits or which resulted in the resignation of the member;
- (c) was the subject of an outstanding order of a committee, a panel of a committee or a board of inquiry of the College;

- (d) was in breach of an order of a committee, a panel of a committee or a board of inquiry of the College;
- (e) failed to comply with a decision of a panel of the Complaint's Committee including a decision requiring the member to attend to be cautioned;
- (f) failed to comply with a written agreement with the College or any undertaking provided to the College;
- (g) had terms, conditions or limitations on her or his certificate of registration other than those terms, conditions or limitations which are generally applicable to all members of the particular class of certificate of registration which the applicant previously held; or
- (h) was previously refused reinstatement by the Registration Committee either under this Regulation or any predecessor regulation. O. Reg. 407/04, s. 1.

31. (1) Section 30 shall not be interpreted as prohibiting a former member who resigned or whose certificate of registration was suspended, cancelled or revoked for non-payment of a fee from making application for a certificate of registration under the Health Professions Procedural Code. O. Reg. 407/04, s. 1.

(2) An application referred to in subsection (1) shall be treated as an initial application for registration. O. Reg. 407/04, s. 1.

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