## DENTAL ASSOCIATION

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## DENTAL COUNCIL

**Preamble**  
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BY-LAWS OF THE DENTAL ASSOCIATION
OF PRINCE EDWARD ISLAND

PREAMBLE

WHEREAS The Dental Association of Prince Edward Island is duly incorporated under the Prince Edward Island Dental Profession Act 19 Statutes Prince Edward Island, C;

AND WHEREAS power is given to the Association by the said Act to make such By–Laws as may be necessary for the better guidance, government, discipline and regulation of the Association and of the practice of dentistry and dental surgery in this Province, and for the carrying out of said Act;

NOW THEREFORE, the Dental Association of Prince Edward Island enacts as follows:

BY-LAW 1 - DEFINITIONS

In these By–Laws the words “Annual List”, “Association”, “Council”, “Dentistry”, or “Dental Surgery”, “Infamous, disgraceful or improper conduct in a professional respect”, License”, “Member”, “Practice”, “Registrar”, and “Qualified Dental Practitioner”, shall have the same effect and meaning as set out in Section 1 of the Prince Edward Island Dental Profession Act.

BY-LAW 2 - THE ASSOCIATION

1. MEETINGS

(a) The General Annual Meeting of the Association shall be held within ninety (90) days of year end, March 31st of each year unless the Executive decides otherwise for a special reason. At this meeting the officers of the Association and members of the Executive shall be elected for the ensuing year, and such other business transacted as may regularly come before such meeting. The General Annual Meeting may be adjourned from time to time as circumstances may require.

Within 90 days of year end (March 31)
(b) Special General Meetings of the Association may be called from time to time by the President of the Association but notice of such meetings shall set out clearly the purpose of such meetings.

(c) Notice of such General Annual Meetings or any Special Annual Meetings shall be given to each member of the Association in good standing, either by publication in the press of the time and place of such meeting at least one week in advance of such meeting or by mailing to each member of the Association in good standing at his/her last known address, notice of the time and place of such meeting, such notice to be mailed seven days before such meeting;

(d) A quorum of the Association at any General Annual Meeting or Special Meeting shall consist of at least twelve (12) members of the Association in good Standing;

(e) General Annual Meetings and Special General Meetings shall be held at such place or places as the Executive of the Association shall determine.

2. ORDER OF BUSINESS

The Order of business at each General Annual Meeting, unless changed by consent, shall be as follows;

1. Calling meeting to order by the President;
2. Minutes of the last General Annual Meeting;
3. Presidential Address;
4. Election of Officers;
5. Election of Members of Executive;
6. Report of Executive Director;
7. Report of Registrar;
8. Reports of Standing Committees;
9. Reports of Special Committees;
(10) Reports of Representatives to the National Dental Examining Board, Canadian Dental Association, and any other representatives;

(11) Appointment of Standing Committees;

(12) Appointment of Special Committees;

(13) Appointment of necessary representatives;

(14) Unfinished business;

(15) New business

(16) Program

3. OFFICER

(a) Election of Officers and Appointment of Committees

(1) The Officers of the Association shall be the President, the Immediate Past President, Vice–President, Executive Director and two other registered members of the Association, and these shall constitute the Executive Committee of the Association.

(2) Thirty days prior to the Annual Meeting the President shall appoint a Nominating Committee of three members who shall prepare a slate of officers and standing committees; also the representatives and alternate representative to the Canadian Dental Association when their terms expire.

(3) All officers, members of the Executive, and official representatives of the Association shall be elected in an open meeting of the Association. A majority of the votes cast shall be necessary to elect.

a In case no nominee receives a majority of the votes cast on the first ballot, a second ballot shall be taken in which only the names of the two nominees having the largest number of votes shall be entered.
b Where two or more nominees receive the same number of votes, and the number of votes cast for each of such persons is the highest number of votes cast for any one person on the ballot, a new ballot shall be taken with only the names on the ballot of those tied with the number of votes.

c Where a nominee receives the largest number of votes but of an insufficient number to be elected, and there are two or more nominees who received the same number of votes and who are tied for second place on that ballot, only the name of the nominees tied with the second largest number of votes shall be entered on the new ballot.

d Where a nominee does not receive a sufficient number of votes to secure his election under the above procedure, a third ballot shall be taken on which the name of the nominee with the lowest number of votes on the second ballot shall be entered.

e Where a member is elected to an office and is unable or unwilling to perform his/her proper duties, the Executive shall have the power to appoint a member to the office so vacated.

(4) Each officer and member of the Executive shall hold office for one year or until his successor is elected.

(5) The Executive may from time to time appoint such committees as may be considered necessary or desirable and designate their duties.

(6) The Registrar referred to in the Act and the Registrar referred to in these By–Laws shall be the one and the same person and all duties, responsibilities and liabilities imposed on the Registrar by the Act shall be the same.
(b) **Duties of Officers**

1. It shall be the duty of the President to preside at all meetings of the Association; to enforce due observance of the By-Laws, Rules and Regulations of the Association; to announce the results of any vote and to give the casting vote in case of a tie; to see that the other officers perform their respective duties; to appoint such committees as are necessary, not otherwise appointed by the Executive Committees and in conjunction with the Executive Director to sign all cheques drawn on the Association Bank Account. He/She shall also have the power to call Special meetings of the Association and shall be obliged to do so on a requisition of three members of the Executive. He/She shall have general supervision of the affairs of the Association, and shall perform such other duties as the Executive may from time to time direct.

2. It shall be the duty of the Vice-President to perform the duties of the President during the absence, illness or incapacity of the President or during such period as the President may request him/her to do so.

3. In the temporary absence of the President and the Vice-President, the members of the Executive present at the meeting duly called, shall elect one of themselves as Chairperson, who, while presiding shall have the same powers and exercise the same functions as the President.

4. The duties of the Executive Director shall be:

   The duties of the Executive Director shall be to conduct under the direction of the Executive all correspondence relating to the affairs of the Association, to keep copies of all such letters written by him/her, and files of all letters received; to keep a true record of the proceedings of each meeting of the Association; to read the minutes of the same at the next meeting; to notify members of the meeting in conference with the President, to transact all business requiring attention between the various meetings of the Executive and to lay before the Executive a summary of such transactions at its next meeting.
a To receive and deposit in a Chartered Bank or Trust Company, agreed on by the Executive all funds of the Association and in conjunction with the President, sign all cheques and drafts and transact all banking business on behalf of the Association; to keep a current account of all monies received and disbursed by him/her and to give to the Association when so required.

b To perform such duties as the Executive may from time to time direct and to deliver to his/her successor in office all monies, books, correspondence, records and other property in his/her possession belonging to the Association.

c To close and audit the books of the Association as at the 31st day of March of each year and the Executive Director shall as soon as reasonably possible thereafter send by mail to each member of the Association in good standing, a copy of the report.

4. FEES

(a) The Annual Fee payable by each member of the Association shall be fixed by the Association at the General Annual Meeting of the Association.

(b) Every person registering as a member of the Association shall pay to the Registrar a registration fee of One Hundred Dollars ($100.00) and shall also pay in advance the proportionate part of the Annual Dues for the part of the year from the date of registering to the 31st day of March and every person whose name is registered, shall, on or before the 31st day of March in each year, pay in advance the Annual Dues of the Association.

(c) Every person registering as a member of the Association, who has not remitted his/her annual dues thirty, (30) days after the due date of March 31st in any given year shall be subject to an additional penalty of One Hundred Dollars ($100.00) plus interest at a rate of 1.5% a month.
5. DISCIPLINE AND REGULATIONS OF THE ASSOCIATION

(a) No member of the Association shall be guilty of professional misconduct or any conduct unbecoming a member of the Association, and are expected to abide by the current Code of Ethics of the Canadian Dental Association.

(b) The dentist should be ever ready to respond to the reasonable needs of his/her patients and should fully recognize the obligations involved in his/her duties towards them. As in many cases they are unable to comprehend the service performed, or correctly estimate its value, the practitioner must be guided by his/her own sense of right in treating the case as his/her own professional knowledge dictates. He/she should strive to gain the confidence of his/her patients, not alone by the skillful performance of difficult operations but also by attending carefully to the simple cases committed to his/her care.

(c) The dentist, without being obtrusive or pedantic, should impart such information to his/her patients as his opportunities afford him/her in regard to the causes and nature of the disease in the teeth or the adjacent parts which he/she may be called upon to treat, and should explain to them the importance of availing themselves of such timely preventatives or remedies as he/she deems necessary to their welfare. He/she should also communicate such general information as shall enable them to exercise an intelligent appreciation of what the profession aims to accomplish.

(d) The dentist should be temperate in all things, keeping both mind and body in the best possible health, that his/her patients may have the benefit of the clearness of judgment and skill which they have the right to expect.

(e) Every member of the dental profession is bound as such to maintain the honour and integrity of the profession. To this end he/she should himself/herself be upright and courteous in his/her relationship with the public and his/her brethren in the profession.

(f) It is unprofessional for any member of the Association to go from house to house soliciting or performing operations, to circulate or recommend nostrums or perform other similar acts.
(g) The dentist, when applied to merely for advice or temporary relief by the patient of a reputable practitioner whose service he/she at the time is unable to secure, should guard against disparaging the family dentist by his/her enquiries or other means calculated to weaken the patient’s confidence in him/her. At the same time the dentist should not form too high a sense of professional courtesy to his/her neighboring practitioner, to allow the interests of persons apply for counsel or service to be jeopardized.

(h) It is to be regarded as unprofessional to warrant or guarantee operations or work as inducement to patronage. It is also unprofessional to violate or be a party to a violation in letter or spirit of the Prince Edward Island Dental Act.

(i) Privileges Permitted

(1) Any member of the Association may, however, provided he/she observes the dignity and ethics of the profession and does not refer therein to qualifications, procedures or equipment:
   a use private professional cards,
   b issue accounts and receipts,
   c issue appointment cards,
   d mail to his/her patients recall notices,

(2) The Association has a legitimate interest in controlling the conduct of its members relative to public information in order to ensure that the information provided would not, on the one hand predispose the public to vulnerability but, on the other, would be useful to the public in making an informed choice. The public information must not negatively impact the professionalism of dentistry. Therefore, members should be guided by the document, Public Information Guidelines approved by the Association. (Appendix A)
(j) No member of the said Association shall practice his/her profession in such a way as that he/she shall or may be unable to give full force and effect to his/her training, experience and judgment as acquired in the course of his/her education in particular and, without restricting the generality of the provisions

(1) No member of the said Association shall, except with the consent of the Council, employ as employee, assistant, agent, partner, officer, shareholder, or otherwise howsoever, practice his/her profession under the control of or for the benefit, profit or advantage of any Corporation, or for any person not being duly qualified and lawfully entitled to practice Dentistry in Prince Edward Island or in such a way that directly or indirectly any such Company or unqualified person may or shall make thereby any profit, reward or advantage.

(2) No member of the said Association shall employ any person not legally qualified and duly authorized under the said Act to prescribe any medicine or dental treatment or to perform any dental operations, or shall permit any such person in his/her name for his/her benefits, or on or about his/her premises, to prescribe any medicine or dental treatment, or to perform any dental operations upon any person whatever.

(3) No member of the said Association shall practice his/her profession as a Dentist within the province of Prince Edward Island save only in his/her own name or under the name, or names of some other qualified and authorized member or members.

(4) No member of the Association shall in any manner whatever practice his/her profession subject to the authority or control, expressed or implied, of any person not a member of the said Association.

(k) When any member of the Association takes over the practice or office of another member of the Association, either by purchase or otherwise, the member so acquiring the said practice or office shall not after one year from the date of such acquisition use any sign or printed matter which suggests to the public that the retiring member was in any way associated or connected with the said practice or office.
(l) No member of the said Association shall announce or hold himself/herself out to the public as a specialist, or as being specially qualified in any particular branch of dentistry, or as giving special attention to any branch of dentistry, or limiting his/her practice to any branch of dentistry, unless he/she has complied with additional requirements established by the Council and is holder of an unrevoked Certificate of Qualification as a specialist. The Council is hereby empowered to give such examination as it may deem necessary to determine the qualifications of applicants. Every member of the Association receiving a license to practice must, as a condition of qualification, limit his/her practice to that specialty to the exclusion of general practice. Every such certificate of qualification issued by the Council shall be subject to revocation by the council at any time, in case it shall determine in its sole judgment that a candidate who has received his/her certificate either was not qualified to receive it, or has become disqualified since its receipt.

(m) The Council shall recognize specialists in:

a) Oral Maxillofacial Surgery
b) Orthodontics and Dentofacial Orthopedics
c) Prosthodontics
d) Periodontics
e) Pediatric Dentistry
f) Endodontics
g) Dental Public Health
h) Oral Medicine and Oral Pathology
i) Oral Maxillofacial Radiology
(n) Any member of the Association who transfers from the Province of Prince Edward Island to another Province or State and wishes to return to practice in the Province of Prince Edward Island, may, if he/she has not continued paying his/her annual membership to the Dental Registrar of the Province of Prince Edward Island during his/her absence from the said Province, be reinstated and have his/her name placed on the Register on payment of a Registry Fee of Twenty-five Dollars ($25.00) and the proportional part of the annual membership fees for the balance of the Association year.

(o) The Council shall from time to time appoint such representative, or representatives, as the Council shall deem advisable for the purpose of effecting adequate systematic inspections of all dental offices and commercial dental technicians’ laboratories in the Province of Prince Edward Island and the conditions under which the practice of dentistry is being conducted in this Province. Such representative or representatives of the Council shall have authority to enter any and all dental offices and commercial dental technicians’ laboratories at reasonable times and to make all necessary inspections and observations therein, and to make such recommendations to members of the Council as the representative or representatives may deem necessary to remedy unethical, unsanitary and improper conduct, conditions, practices and procedures. Every such recommendation which is not promptly and adequately adopted and effected shall be reported to the Council, together with the conduct, condition, practice or procedure complained of, and the Council shall thereupon make the member of the Association or dental technicians, so complained of, a formal written demand for such correction of the said conduct, condition, practice and/or procedure as the Council shall deem necessary or advisable. Failure on the part of any member of the Association, or dental technician, to comply promptly and completely with such written demand shall be deemed to be improper conduct in a professional respect.
All dentists holding membership in the Dental Association of PEI must maintain membership in the Canadian Dental Association. This is done by authorizing the Dental Association of PEI to collect on their behalf, the calculated annual individual membership fees, to be forwarded on their behalf. The DAPEI will then be included as a full corporate member of the Canadian Dental Association as well with all rights and privileges.

(p) Dental Technicians

(1) Any commercial dental technician whose conduct is unethical, unsanitary or improper in the conduct of his/her laboratory or who undertakes the work of a commercial dental technician without first receiving a written prescription as set out in By–Law 2 hereinafter set forth, shall be guilty of a breach of this By–Law and on summary conviction before a Magistrate, be subject to a fine of not less than Twenty–five Dollars ($25.00) and not exceeding One Hundred Dollars ($100.00)

(2) a All members of the Association shall furnish dental laboratories or technicians with a written prescription for each piece of work to be processed by the laboratory or technician.

b This written prescription, to be kept in file for one year, shall contain the following elements:

   I. The date;

   II. The name of the laboratory or technician to which the prescription is addressed;

   III. A clear description of the work to be done by the laboratory or Under control technician, with appropriate diagrams, etc., where necessary; to licensed dentist

   IV. A clear specification of the character and quality of materials to be used;

   V. The signature of the member of the Association.
6.  SEAL

The seal of the Association shall be the same as heretofore used by the Association.
BY-LAW 3 - DENTAL HYGIENISTS

1. There shall be a body ancillary to the dental profession, the members of which shall be known as “dental hygienists”, and who, subject to the provisions of these By-Laws and of The Prince Edward Island Dental Profession Act, may practice dental hygiene as hereinafter defined.

2. The practice of dental hygiene shall include all of the functions of the practice of dentistry for which the dental hygienist has successfully completed the required course of study approved by the Council, except the following:

   (a) Diagnosis or treatment planning for the prevention, alleviation or correction of any disease, pain, deficiency, deformity, defect, lesion, disorder or physical condition of in or from any human tooth, jaw or associated structure or tissue or any injury thereto;

   (b) Prescribing or advising the use of any prosthetic denture, bridge, or any other oral prosthetic appliance;

   (c) Providing facilities for; or the taking or making of, any impression, bite, cast, or design preparatory to, or for the purpose of, or with a view to the making, producing, reproducing, constructing, fitting, furnishing, supplying, altering, or repairing of any such prosthetic denture, bridge, or other oral prosthetic appliance;

   (d) Severing or cutting hard or soft tissues;

   (e) Prescribing or administering drugs.

3. Only a person holding a valid and unforfeited License to practice dental hygiene shall be entitled to practice dental hygiene.
4. Subject to the provisions of By–Law 5, a person entitled to practice dental hygiene may so practice only in the employ of and under the direct control and supervision of a dentist duly registered and licensed under the Dental Act.

   (a) For the purposes of this by–law direct control means the individual answers directly to the dentist and performs the duties allowed at the direction and prescription of the employer. The hygienist may only perform the prescribed treatments on patients of record who have had an examination by a dentist prior to initiation of any services. These services must be indicated on patient’s chart for routine preventive hygiene treatments or special

   (b) Supervision means that the dentist employing a hygienist under the provisions of this by–law is responsible for the treatment he/she performs and the circumstances under which the employee carries out their responsibilities. Supervision does not require the dentist be physically present but must assure that by supervisory activities they are comfortable with the ability of the individual to carry out their duties in the manner prescribed.

5. (a) Any provincial or Municipal Authority or Institution and any School Board or Hospital Authority with the written permission of the Council may employ as a dental hygienist a person entitled to practice dental hygiene.

   (b) Such written permission shall specifically name the person who may be so employed.

   (c) Such written permission shall only be given by the Council only to the Authority, Board or Institution which employs one or more Dentists duly registered and licensed under the Dental Act while the persons so named are treating patients.

   (d) A person entitled to practice dental hygiene and who is named in such written permission may so practice in the employ of the Authority, Institution or Board so permitted to employ he/she but may only do so under the direct control and supervision of a dentist duly registered and licensed under the Dental Act.
(e) Where a Dental Hygienist has been named in this written permission to be employed by an Authority, Institution or Board, and is working in the scope of such employment in the province of Prince Edward Island, as long as he/she is abiding by the regulations directed to Hygienists specifically, the general supervision and direction exercised by the dentist required under By-Law #3 Section 5 Subsection (c), shall for the purpose of these By-Laws satisfy the requirements of By-Law #3 Section 5 Subsection (d).

6. (a) Any dentist duly registered and licensed under The Dental Act may employ as a dental hygienist any person who holds, but only so long as he/she holds, a valid and unforfeited license to practice dental hygiene.

(b) An Authority, Institution or Board, having the written permission provided for in Section 5, may employ as a dental hygienist the person specifically named in such written permission only so long as he/she holds a valid and unforfeited license to practice dental hygiene.

7. (a) is a person at least 18 years of age, and

(b) satisfies the Board that he/she is a person of good moral character, and

(c) furnishes evidence satisfactory to the Council that they have pursued and successfully completed a course of study of two academic years in a school for dental hygienists approved by the Council, and

(d) passes such examination, if any, as may be prescribed by the Council, and

(e) makes application to the Council on the form prescribed by the Council and

(f) pays a registration fee of $15.00, shall be entitled to receive from the Council a license to practice dental hygiene.
8. (a) A license to practice dental hygiene shall be signed by the President and Registrar of the Council.  

(b) A dental Hygienist employed by a member of the Association shall display their certificate in a conspicuous place in the office of the member.

9. A Register shall be kept by the Registrar containing the names and dates of registration of those persons who have been granted a license to practice dental hygiene.

10. (a) The Annual Fee payable by each registered dental hygienist shall be determined by the Council and each dental hygienist shall pay in advance on or before the 31\textsuperscript{st} day of March of each year the said annual fee.

(b) If any dental hygienist fails to pay such annual fee on or before the 1\textsuperscript{st} day April in the calendar year after which it becomes due their license to practice dental hygiene shall, at the option of the Council, become invalid and be forfeited.

(c) A license to practice dental hygiene so invalidated and forfeited for non-payment of the annual fee may, in the discretion of the Council, be reinstated upon payment of a penalty of $5.00.

(d) A dental hygienist shall not be required to pay the annual fee in any year of years in which he/she does not practice if, prior to the 1\textsuperscript{st} day of July in the first of such years, he/she notifies the Council in writing of their intention not to practice. If thereafter they desire to practice, they shall be entitled to receive from the Council a license upon payment of the registration fee provided by clause (f) of Regulation 7 hereof and of the annual fee payable under this Regulation, and meet the requirements set out in the Policy Governing Licensing of Registered Dental Hygienists. (Appendix B)

(e) Notice of annual fee shall be sent to each registered dental hygienist on or before the 31\textsuperscript{st} day of March in each year.
11. (a) A dental hygienist shall not display or exhibit any sign, or issue announcement or notification cards, or in any other way advertise that he/she is a person practicing as a dental hygienist.

(b) No dental hygienist shall establish or attempt to establish professional relations with respect to the practice of dental hygiene with any patient or intended patient, except in the name, on behalf of, and with the consent of the dentist with whom they are employed.

(c) In the case of dental hygienists employed by an Authority, Institution or Board pursuant to Regulations 5 and 6, all contacts with patients shall be made under the supervision of a dentist in the employ of such Authority, Institution or Board.

12. (a) The Council may cancel or suspend the license of a dental hygienist, who has.

   (1) after due inquiry, been found by the Council to have been guilty of improper, unprofessional, or dishonourable conduct in their relationship to the dental profession in their place of practice, or to have been guilty of a breach of the provisions of these Regulations or of the provisions of the Dental Act, or

   (2) been convicted of an indictable offence, or

   (3) after due inquiry been found by the Board to have performed any dental services other than those which they have been authorized to perform pursuant to these Regulations.

(b) A license cancelled or suspended pursuant to this By–Law may be reinstated at any time by the Council if it appears to the Council that the grounds upon which such license was cancelled or suspended no longer exist.
BY-LAW 4 - ANCILLARY BODIES

The association has power to pass By–Laws providing for the establishment, development and control of any ancillary dental bodies which may, from time to time, be created by the Association as ancillary bodies to the Association.
BY-LAW 5 - AUTHORITY AND DUTIES OF PRACTITIONERS NOT DIMINISHED BY BY-LAW 3

Nothing in By–Law 3 and By–Law 4 shall effect or shall be deemed to affect the right of a dentist, duly registered medical practitioner registered under the Prince Edward Island Medical Act, from performing any function of dentistry as defined in The Prince Edward Island Dental Professional Act.

BY-LAW 6 - PROVINCIAL DENTAL COUNCIL

1. The Council shall be established and shall consist of seven members; Four members of the Dental Association of P.E.I., one member of the Dental Hygienists Association of P.E.I., one member of the Dental Assistants Association of P.E.I. and one member of the public of Prince Edward Island.

The members shall be named by the Minister of Health of the province of P.E.I. The represented bodies may submit names of individuals who would be willing to serve on the Council and their appointment will be for two years, renewable at the discretion of the Minister of Health, for a second/third term for a total of six years.

All members of the Council are responsible to the Minister for the fulfillment of their duties and obligations as outlined in the Dental Act of the Province of P.E.I., and the By–Laws of the Dental Association of P.E.I.

The Officers of the Dental Council shall be the President, The Vice–President and the Registrar. The President and Vice–President shall be elected for terms of two years by the members of the Council present at the annual meeting of the Council.

The Registrar shall be a Dental practitioner appointed by the Council and shall not have voting privileges.
2. **Duties of Officers**

(a) It shall be the duty of the President to preside at all meetings of the Council; to enforce due observance of the By–Laws, Rules and Regulations of the Council; to announce the result of any vote and to give the casting vote in case of a tie; to see that the other officers perform their respective duties; to appoint such committees as are necessary not otherwise appointed by the Council; and in conjunction with the Registrar to sign all cheques drawn on the Council Bank Account. He/she shall also have power to call Special Meetings of the Council and shall be obliged to do so on a requisition of four members of the Council. He/she shall have general supervision of the affairs of the Council and shall perform such other duties as the Council may from time to time direct.

(b) It shall be the duty of the Vice–President to perform the duties of the President during the absence, illness or incapacity of the President or during such periods as the president may request him/her to do so.

(c) In the temporary absence of the President and the Vice–President, the members of the Council present at the meeting duly called, shall elect one of themselves as Chairman, who, while presiding, shall have the same powers and exercise the same functions as the President.

(d) The duties of the Registrar shall be:

(1) To conduct under the direction of the Council all correspondence relating to the affairs of the Council; to keep copies of all such letters written by him/her, and files of all letters received; to keep a true record of the proceedings of each meeting of the Council; to read the minutes of the same at the next meeting of each respectively; to notify members of the meeting; in conference with the President, to transact all business requiring attention between the various meetings of the Council and to lay before the Council a summary of such transaction at its next meeting.
(2) To receive and deposit in a Chartered Bank, or Trust Company, agreed on by the Council all funds including all Registry fees and annual dues and in conjunction with the President, sign all cheques and drafts and transact all banking business on behalf of the Council; to keep a correct account of all monies received and disbursed by him/her and to give a report of the Council when so required.

(3) To issue such certificates and licenses, make such returns and perform all other duties as required by the provisions of the Act.

(4) To perform such other duties as the Council may from time to time direct and to deliver to his/her successor in office all monies, books, correspondence, records and other property in his/her possession belonging to the Council.

(5) To close and audit the books of the Council as at the 31st day of March of each year and the Registrar shall as soon as reasonably possible thereafter send by mail to each member of the Council, a copy of the report.

3. Should a member of the Council have to resign and be unable to complete his/her term for whatever reason a replacement may be appointed for the remainder of the term from the appropriate body by the Minister of Health.
BY-LAW 7 - REGISTRATION CERTIFICATE

An applicant for registration as a member of the Prince Edward Island Dental Association having complied with the requirements set out in the Dental Council of Prince Edward Island By-Laws, and having been accepted as a member of the Association by the Council, shall have issued to him/her by the Registrar a Certificate of Registrations which shall be signed by the President and Registrar of the Council:

THE DENTAL COUNCIL OF PRINCE EDWARD ISLAND TO WHOM THESE PRESENTS SHALL COME, GREETING:

Be it known by the power vested in us ________________________ is hereby a member of “The Dental Association of Prince Edward Island”, with all the rights and privileges thereto appertaining.
WITNESS our hands and the Seal of the Association

this __________ day of ______________ A.D. 19____

_____________________________________

President

_____________________________________

Registrar
BY-LAW 8 - LICENSE

A member of the Association who has complied with Section 9 of the Act and who has not disentitled himself/herself, shall have issued to him/her by the Registrar a license, which shall be signed by the President and Registrar of the Council:

THE DENTAL COUNCIL OF PRINCE EDWARD ISLAND TO WHOM THESE PRESENTS COME, GREETING:

Be it known by the power vested in us ________________________
is hereby entitled to practice Dentistry and Dental Surgery in the Province of Prince Edward Island, with all the rights and privileges thereto appertaining.
WITNESS our hands and the Seal of the Association
this __________ day of ______________A.D. 19____

___________________________
President

___________________________
Registrar
BY-LAW 9 - AMENDMENT OR SUSPENSION OF BY-LAWS

1. Any of these By–Laws may be suspended for the time being, amended or repealed by a two–thirds vote of the members of the Association present at any General Annual Meeting or at any Special General Meeting called for that purpose.

2. All motions requiring amendment, suspension or appeal in the By–Laws must be in the hands of the Executive Director in sufficient time that he/she shall give seven days’ notice to each member of the Association of the proposed amendment, suspension or repeal which is to be brought forward at the General Annual Meeting or at a Special General Meeting called for that purpose.

ENACTED this 5th day of August A.D. 1969 as witness the Corporate Seal of the Dental Association of Prince Edward Island.

___________________________
President

___________________________
Executive Director
BY-LAW 10 - REGISTERED DENTAL ASSISTANTS

1. There shall be body ancillary to the dental profession, the members of which shall be known as “registered dental assistants” and who, subject to the provisions of these By-Laws and the Prince Edward Island Dental Profession Act, may be delegated certain procedures as hereinafter defined.

2. The registered dental assistant may perform all of the functions of the practice of dentistry for which that person has successfully completed the required course of study approved by the Council except the following:

(a) Diagnosis or treatment planning for the prevention, alleviation or correction of any disease, pain, deficiency, deformity, defect, lesion, disorder or physical condition of, in or from any human tooth, jaw or associated structure of tissue or any injury thereto;

(b) Prescribing or advising the use of any prosthetic denture, bridge or any other oral prosthetic appliance;

(c) Providing facilities for; or the taking or making of, any impression, bite, case, or design preparatory to, or for the purpose of, or with a view to the making, producing, reproducing, construction, fitting, furnishing, supplying altering, or repairing of any such prosthetic denture, bridge, or other oral prosthetic appliance;

(d) Severing or cutting hard or soft tissue;

(e) Prescribing or administering drugs;

(f) Scaling, finishing and adjusting of final restorations;

(g) Scaling or removal of calcareous deposits on the teeth.

3. Only a person holding a valid and unforfeited license as a registered dental assistant shall be entitled to perform the duties of a registered dental assistant.
4. Subject to the provisions of By–Law 5, a person entitled to perform the duties of a registered dental assistant may so perform in the employ of and under the direct control and supervision of a dentist duly registered and licensed under the Dental Act.

5. (a) Any Provincial or Municipal Authority or Institution and any School Board or Hospital Authority, with the written permission of the Council may employ a registered dental assistant a person entitled to perform the duties of a registered dental assistant.

(b) Such written permission shall specifically name the person who may be so employed.

(c) Such written permission shall only be given by the Council only to the Authority, Board or Institution which employs one or more Dentists duly registered and licensed under the Dental Act while the persons so named are treating patients.

(d) A person entitled to perform the duties of a registered dental assistant and who is named in such written permission may so practice in the employ of the Authority, Institution or Board so permitted to employ him/her, but may only do so under the direct control and supervision of a dentist duly registered and licensed under the Dental Act.

6. (a) Any dentist registered and licensed under The Dental Act may employ as a registered dental assistant any person who holds, but only so long as he/she holds, a valid and unforfeited license to perform the duties of a registered dental assistant.

(b) An Authority, Institution or Board, having the written permission provided for in Section 5, may employ as a registered dental assistant the person specifically named in such written permission only so long as he/she holds a valid and unforfeited license to perform the duties of a registered dental assistant.
7. Any person who,  
   (a) Satisfies the Board that he/she is a person of good moral character, and  
   (b) Furnishes evidence satisfactory to the Council that he/she has pursued and successfully completed a course of study for certified dental assistants approved by the Council, and  
   (c) Passes such examination, if any, as may be prescribed by the Council and  
   (d) Makes application to the Council on the form prescribed by the Council, and  
   (e) Pays a registration fee of $15.00.  

Shall be entitled to receive from the Council a license to perform the duties of a registered dental assistant.

8.  
   (a) A license to perform the duties of a registered dental assistant shall be signed by the President and Registrar of the Council.  
   (b) A registered dental assistant employed by a member of the Association shall display his/her certificate in a conspicuous place in the office of the member.  
   (c) The license will state the exact duties which the registered dental assistant is qualified to perform.

9. A register shall be kept by the Registrar containing the names and dates of registration of those persons who have been granted a license to perform the duties of a registered dental assistant.

10.  
   (a) The Annual Fee payable by each registered dental assistant shall be determined by the Council and each dental assistant shall pay in advance on or before the 31st of March of each year the said annual fee.  
   (b) If any dental assistant fails to pay such annual fee on or before the 1st day of April in the calendar year after which it becomes due their license to practice dental assisting shall, at the option of the Council, become invalid and be forfeited.
(c) A license to practice as a dental assistant invalidated and forfeited for non-payment of the annual fee may, in the discretion of the Council be reinstated upon payment of a penalty of $5.00.

(d) A dental assistant shall not be required to pay the annual fee in any year or years in which he/she does not practice if, prior to the 1st day of July in the first of such years, he/she notifies the Council in writing of their intention not to practice. If thereafter they desire to practice, they shall be entitled to receive from the Council a license upon payment of the registration fee provided by clause (e) of Regulation 7 hereof and of the annual fee and meet the requirements set out in the Policy Governing Licensing of Registered Dental Assistants. (Appendix C)

(e) Notice of annual fee shall be sent to each registered dental assistant on or before the 31st day of March in each year.

11. (a) A registered dental assistant shall not display or exhibit any sign, or issue announcement or notification cards or in any other way advertise that he/she is a person performing the duties of a registered dental assistant.

(b) No registered dental assistant shall establish or attempt to establish professional relations with respect to the performance of the duties of a registered dental assistant with any patient, intended patient, except in the name, on behalf of, and with the consent of the dentist with whom he/she is employed.

(c) In the case of registered dental assistants employed by an Authority, Institution or Board pursuant to Regulation 5 and 6, all contact with patients shall be made under the supervision of dentist in the employ of such Authority, Institution or Board.
12. (a) The Council may cancel or suspend the license of a registered dental assistant, who has

(1) after due inquiry, been found by the Council to have been guilty of improper, unprofessional or dishonourable conduct in his/her relationship to the dental profession in his/her place of employment, or to have been guilty of a breach of the provision of these Regulations or of the provisions of the Dental Act, or

(2) been convicted of an indictable offence, or

(3) after due inquiry been found by the Board to have performed any dental service other than those which he/she has been authorized to perform pursuant to these Regulations.

(b) A license cancelled or suspended pursuant to this By-Law may be reinstated at any time by the Council if it appears to the Council that the grounds upon which such license was cancelled or suspended no long exists.
BY-LAWS OF DENTAL COUNCIL OF PRINCE EDWARD ISLAND

PREAMBLE

WHEREAS The Dental Council of Prince Edward Island is established under the Prince Edward Island Dental Profession Act.

AND WHEREAS power is given to the Council by the said Act to make such By-Laws as may be necessary for the calling of the meetings of the Council and the order and conduct of business at such meetings, and to establish the standard of the preliminary and professional examinations to be passed, the curriculum of studies to be pursued, the period of study required, the necessary examinations to be passed and the examination fee or fees payable by each candidate before the writing of such examinations.

NOW THEREFORE The Dental Council of Prince Edward Island enacts the following:

BY-LAW 1 - COUNCIL ORGANIZATION

1. The Council shall make its own arrangements as to the time and place of holding its meetings.

2. A quorum of the Council at any meeting thereof shall consist of at least four members of the Council.

BY-LAW 2 - EDUCATIONAL REQUIREMENTS FOR ADMISSION TO THE ASSOCIATION

Anyone desirous of becoming a member of the Dental Association of Prince Edward Island is require to:

(a) Present evidence to prove he/she has been granted and holds a valid National Dental Examining Board of Canada Certificate or its predecessor, the Dental Council of Canada.

(b) Be recommended by the Dean of the School of Dentistry from which he/she graduated, or by the Secretary of the Licensing Authority of the Dental Association in the Province, State or Territory in which he/she was last licensed.
(c) Present credentials to prove that a graduation diploma from a School of Dentistry was granted and to prove the Academic and other requirements necessary for the granting of such graduation diploma.

(d) Present written evidence from two sources of his/her aptitude, character, and capability to become a competent and ethical member of the Association.

(e) Produce evidence that he/she is of the full age of eighteen years.

(f) Pay the Registrar the prescribed Registration Fee, Examination Fee and such portion of the Annual Fee as the Council may determine.

(g) An application for membership in the Dental Association of Prince Edward Island must sign a covenant to practice ethically and to maintain the honor and dignity of the profession, and to comply with all By–Laws enacted by the Association and Council.

(h) An application for membership in the Dental Association of Prince Edward Island who holds a Certificate of Qualification of the National Dental Examining Board or its predecessor, the Dental Council of Canada, which was known originally as the Dominion Dental Council, may be required to pass such clinical examination or examinations as the Council may direct and such applicant may be required to pass such other examination or examinations as the Council may direct.
BY-LAW 3 - REQUIREMENTS FOR RE-LICENSEURE

CONTINUING EDUCATION

1. Credit Requirements

   (a) Registered members are required to obtain a minimum of 90 credit hours of continuing education during three year cycles. Registered Dental Hygienists are required to obtain 12 credit hours of Continuing Education per year. Cycles commence April 1<sup>st</sup> of the calendar year following the year of registration. Any licensed person commencing work in the practice of Dentistry in mid cycle will have their minimum point requirements pro-rated to March 31<sup>st</sup> of the calendar year following the year of registration. (i.e. 1 year remaining 30 points required, 2 years remaining 60 points required.) Credits obtained prior to the beginning of cycle do not count toward the necessary credits for that cycle. Credit points in excess of those required in a three year cycle cannot be carried forward to a subsequent cycle. For licensed specialists, at least 70% of the required credit hours must be obtained through programs pertaining to the specialty.

2. Reporting of Credit Hours

   (a) It is the registrant’s responsibility to ensure that hours of continuing education are reported either individually on the Dental Council approved forms or through sponsoring agency’s group list (e.g. Dental Association or University). An annual record of each person’s accumulated credits will be supplied by the Dental Council once in every calendar year.

3. Categories and Credit Hours

   (a) COURSES

   It is understood that courses or their educational equivalents shall be directly related to the practice of dentistry. The following sponsors of a continuing education course, or equivalent shall have their presentations automatically approved for credit hours.
(1) All accredited dental schools.

(2) Provincial, National and State Dental Associations.

(3) Study Clubs that have received approval from the Dental Council of Prince Edward Island.

(4) National dental specialty organizations recognized by the Canadian Dental Association or American Dental Association.

(5) Other than a dentally related organization if the course is specifically dentally orientated and presented to a dental audience.

The P.E.I. Dental Council reserves the right to approve or disapprove credits for courses that it considers to be of questionable content relative to the practice of dentistry.

(b) MEETINGS & CONVENTIONS

(1) Attendance at Quarterly, special and annual meetings of the Dental Associations of P.E.I.
   1 Credit Hour per meeting to a maximum of five credits per year.

(2) Multiday convention type meetings such as provincial (outside PEI), state, regional, national or international conventions.
   5 Credit Hours per convention

OR

(3) Conventions with a significant scientific educational content may be accepted for Hour–for–Hour credit provided that proof of attendance at each lecture session is obtained using the Dental Council approved form together with the convention information brochure.
(c) STUDY CLUBS

(1) Study Clubs must maintain attendance records for members and supply these on the approved group reporting form or individual reporting form.

*Hour–for–Hour Credit*

(2) Acting as a mentor of a study club with information submitted to the Dental Council on group or individual reporting form.

*Hour–for–Hour Credit*

A maximum of 7 credit hours per license year can originate from study clubs, equal to 1 hour per meeting attended.

(d) ADVANCE STUDY

Graduate study, internships and residencies for dentists in acceptable full–time programs will fulfill their continuing educating education requirements for the period of the program, and a new three – year cycle will commence on April 1st of the year following successful completion of the program.

(e) NATIONAL EXAMINING BODIES

Licensed members who serve on national examining bodies. Active participation is a requirement to be eligible for a maximum of 7 credit hours per year.

(f) DEPARTMENT OF HEALTH INSERVICE COURSES

Licensed dental public health applicants who participate in department sponsored courses are eligible to a maximum of five credit hours per year. Approval of these courses is at the discretion of the Dental Council.

(g) SELF STUDY COURSES

Individual self–study courses qualify for credit hours if the applicant successfully completes a corrected post–course examination. It is the responsibility of the applicant to have the course content and results of the exam sent directly to the Dental Council for approval. A pass grade of 70% must be obtained with a maximum of seven hours of credit per year.
(h) PUBLICATIONS AND VISUALS

Periodicals, journals, newsletters and audio visual products are recognized and are assigned 1 credit hour for each publication / AV product for a maximum of 4 credit hours per year, for a possible total of 12 points per three year cycle.

(i) ASSOCIATION ANC COUNCIL COMMITTEES

Licensed members who serve on Dental Association and Dental Council significant committees and councils are assigned 3 credit hours per year to a maximum of 9 credit hours per three year cycle.

4. Failure to obtain credit requirements

(a) Where a person does not acquire the required credit hours within the period predescribed in section 1 of BY–LAW 3, he or she may apply to the Dental Council in writing before the described period expired for an extension of time to a maximum of 6 months in which to acquire the necessary credit hours.

(b) Where the time by which a person must acquire credit hours expires when the person is absent from Prince Edward Island or is not practicing dentistry, he or she may, when he or she requires an annual license, apply to the Dental Council for an extension of time.

(c) Where a person fails to acquire credit hours as required by BY–LAW 3 he or she is not entitled to receive an annual license.

5. Malpractice Insurance

In order for a member to obtain an annual license he/she must provide proof of malpractice insurance coverage for the current year.
BY-LAW 4 - AMENDMENT OR SUSPENSION OF BY-LAWS

1. Any of these By–Laws may be suspended for the time being or amended by a simple majority vote of the members of the Council present at any meeting of the Council called for that purpose.

2. All motions requiring amendment, suspensions or repeal in the By–Laws must be in the hands of the Registrar in sufficient time that he/she shall give seven days’ notice to each member of the Council of the proposed amendment, suspension or repeal of the Council called for that purpose.

ENACTED this 5th day of August A.D., 1969, as witness the hands and seals of the duly authorized signing officers of the Prince Edward Island Dental Council.

__________________________________________
President

__________________________________________
Registrar
BY-Law 3 – Section (a)
Requirements for Re-Licensure

CONTINUING EDUCATION
CREDIT REQUIREMENTS

Registered members are required to obtain a minimum of 90 credit hours of continuing education during three year cycles. Cycles commence April 1\textsuperscript{st} of the calendar year following the year of registration. Credits obtained prior to obtained to the beginning of a cycle do not count toward the necessary credits for that cycle. Credit points in excess of those required in a three year cycle cannot be carried forward to a subsequent cycle. For licensed specialists, at least 70\% of the required credit hours must be obtained through programs pertaining to the specialty.

Any Licensed person commencing the practice of Dentistry within the cycle will have their minimum point requirements pro-rated to March 31\textsuperscript{st} of the calendar year following registration. With one year remaining in the cycle, 30 credit hours shall be required with two years remaining, 60 credit hours shall be required.

PROCEDURE TO RE-LICENSE

All licensing forms and fees are to be received by the Dental Council by March 31\textsuperscript{st}. It is the Dentist’s responsibility to ensure credit points

VERIFICATION

THE Dental Council reserves the right to request the applicant provide verification and proof of attendance. Falsification of any information will be considered professional misconduct. The Dental Council of PEI reserves the right to approve or disapprove credits that it considers to be of questionable content relative to the practice of dentistry are reported to the Dental Council on an annual licensing form. An annual record of each person’s accumulated credits in their three year cycle will be supplied by the Dental Council once in every calendar year.
CATEGORIES AND CREDIT HOURS

1. **Courses**

   It is understood that courses or their educational equivalents shall be directly related to the practice of dentistry. The following sponsors of an education course, or equivalent shall have their presentations automatically approved for credit.

   a) All accredited dental schools
   b) Provincial, state, regional and national and international Dental Associations.
   c) Study Clubs that have received approval from the Dental Council of PEI
   d) National dental specialty organizations recognized by the Canadian Dental Association or American Dental Association.
   e) Other than a dentally related organization if the course is specifically dentally orientated and presented to a dental audience.

2. **Meetings & Conventions**

   a) Attendance at Quarterly, Special and Annual meetings of the Dental Association of PEI.

       **1 Credit Hour per meeting to a maximum of five credits per year**

   b) Multiday convention type meetings such as provincial (outside PEI), state, regional national, or international conventions

       **5 Credit Hours per convention**

   or

   c) Conventions with a significant scientific educational content may be accepted for Hour-for-Hour credit provided that proof of attendance at each lecture session is obtained using the Dental Council approved group form together with the convention information brochure.
3. **Study Clubs**

   a) Study Club must maintain attendance records for members and supply these on the approved group reporting form or individual reporting form.

**Hour for Hour Credit**

A Maximum of 7 credit hours per license year can originate from study clubs, equal to 1 hour per meeting attended

4. **Advanced Study**

   Post graduate study, internships and residencies for dentists in acceptable full-time programs will fulfill their continuing education requirements for the period of the program.

5. **National Examining Board**

   Licensed members who serve on national examining bodies. Active participation is a requirement to be eligible for a maximum of 7 credit hours per year.

6. **Dental Health Inservice**

   Licensed dental public health applicants who participate on department sponsored courses are eligible to a maximum of 5 credit hours per year.
7.  **Print & Electronic Self Study Courses**

Periodicals, journals, newsletters, audio/video tapes, CD-Rom or DVD’s and Internet based self – study programs without independently graded assessments are recognized and assigned 1 credit hour for each print/electronic product for a maximum of 4 credit hours per year, for a possible total of 12 points per three year cycle, print, audio/video tapes, CD-Roms or DVD’s and internet based self-study programs with independently graded assessments are recognized and are assigned 1 credit hour for each print/electronic product for a maximum of 10 credit hours per year for a possible total of 30 points per three year cycle.

Self-study programs must be a minimum of one hour duration.
Self-study programs can only constitute 50% of required points.

8.  **Association & Council Committees**

Licensed members who serve on Dental Association and Dental Council significant committees and councils are assigned 3 credit hours per year to a maximum of 9 credit hours per three year cycle.

9.  **Volunteerism**

Licensed members who perform volunteer dental services outside their individual practices shall be assigned 7 credit hours for every two days of volunteerism to a maximum of 21 credit hours per year subject to approval of the registrar.
BY-LAW 3 – Section (b)  
(Failure to obtain credit requirements)

(i) Where a person does not acquire 90 credit hours in a period prescribed in section (a) of BY-LAW 3, he or she may apply to the Dental Council in writing before the predescribed period expires for an extension of 6 months in which to acquire the necessary credit hours.

(ii) Where the time by which a person must acquire credit hours expires when the person is absent from Prince Edward Island or is not practicing dentistry, he or she may, when he or she requires an annual license, apply to the Dental Council for an extension of time.

(iii) Where a person fails to acquire credit hours as required by BY-Law 3, he or she is not entitled to receive an annual license.

5. In order for a member to obtain an annual license he/she must provide proof of malpractice insurance coverage for the current year.

By – Law 4

1. Any of these By-Laws may be suspended for the time being or amended by a simple majority vote of the members of Council present at any meeting of the Dental Council called for that purpose.

2. All motions requiring amendment, suspensions or repeal in the By-Laws must be in the hands of the Registrar in sufficient time that he/she shall give seven days’ notice to each member of the Council for that purpose.

3. ENACTED this 5th day of August A.D., 1969, as witness the hands and seals of the duly authorized signing officers of the Dental Council of Prince Edward Island.