the advice given and of the refusal to accept it (together with the reasons for such refusal), and a copy of the record shall be given to every party, or person representing a party, to the proceedings who appears thereat.

8. Copies of written advice, made for the purposes of either of the last two foregoing Rules, shall be available on application to every party to the proceedings who does not appear thereat.

Dated the 9th day of August, 1957.

Kilmuir, C.

EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

These Rules regulate the functions of the Legal Assessor appointed under section 8 of the Dentists Act, 1956, to advise the Disciplinary Committee of the General Dental Council on questions of law arising in disciplinary cases before them.

ANCILLARY DENTAL WORKERS

1957 No. 1423

The Ancillary Dental Workers Regulations, 1957

Made - - - -	1*st August*, 1957
Coming into Operation	1*st August*, 1957

In exercise of the powers conferred upon the General Dental Council by section 18 of the Dentists Act, 1956 (a), and of all other powers enabling them in that behalf, the Council hereby make the following regulations:—

PART I—TITLE AND INTERPRETATION

1.—(1) These regulations may be cited as the Ancillary Dental Workers Regulations, 1957.

(2) In these regulations, unless the context otherwise requires:

"the Committee" means the Ancillary Dental Workers Committee set up by the Council in accordance with the provisions of section twenty-two of the Dentists Act, 1956.

"the Council" means the General Dental Council.

PART II—THE ROLLS AND ENROLMENT

2. The Registrar shall keep a separate roll for each class of ancillary dental workers established by the Council in accordance with sub-section (1) of section eighteen of the Dentists Act, 1956, and shall enter in such roll, in respect of every person entitled to have his name entered therein, the name, the address, the date on which the entry is made and particulars of the certificate by virtue of which the entry is made.

(a) 4 & 5 Eliz. 2. c. 29.

3.—(1) A person shall be entitled to have his name entered in the roll for a class of ancillary dental workers if he has paid the appropriate fee prescribed in regulation 6 of these regulations and has shown to the satisfaction of the Registrar that he is of good character, that he holds a certificate conferring a right to the inclusion of his name in that roll as defined in regulation 7 of these regulations and that he has complied with any other requirements specified in these or any other regulations made by the Council relating to that class.

(2) Where the Council are satisfied that a person who holds a certificate other than the certificate described in paragraph (2) of regulation 7 of these regulations has taken such courses of study and passed such examinations as furnish sufficient guarantee of that person's possessing the requisite knowledge and skill to practise dentistry to the extent permitted by the regulations for a class of ancillary dental workers, the Council may direct that he shall be entitled to have his name entered in the roll for that class as if his certificate were a certificate granted in accordance with regulation 7 of these regulations.

4.—(1) Except where a name has been erased in accordance with the provisions of these regulations the Registrar shall retain in the appropriate roll of ancillary dental workers the name of any enrolled person in respect of whom he has received before the thirty-first day of March in every year a signed application for retention of the name until the thirty-first day of March in the next following year, accompanied by the appropriate fee.

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

(3) Where the Registrar on the thirty-first day of March in any year shall not have received from any person whose name is entered in a roll of ancillary dental workers a fee for the retention of that person's name in that roll for the ensuing year, the Registrar shall erase that name from the roll.

5. The Registrar may restore to a roll of ancillary dental workers a name erased from that roll other than a name erased in accordance with the provisions of Part IV of these regulations upon receipt of an application in the form provided by the Council for the purpose, accompanied by (a) the fee for restoration, (b) the fee for retention in the roll and (c) where the name of the applicant has not been entered in the roll in any of the five years immediately preceding the date of the application, two certificates of identity and good character, each signed by a Justice of the Peace, a minister of religion, a registered medical practitioner or a registered dentist.

Fees Payable for enrolments, etc.

6. The following are the fees prescribed by the Council under sub-section (7) of section eighteen of the Dentists Act, 1956:

	£ s. d.
For first enrolment of a name	1 0 0
For the retention of a name under regulation 4 of these regulations	1 0 0
For restoration of a name under regulation 5 of these regulations	1 0 0

Part III—Training and Examinations

7.—(1) The Council may approve courses of instruction and examinations held by any of the dental authorities or by such other bodies as the Council may think fit for the purpose of training persons to become members of a class of ancillary dental workers established by regulations made by the Council, and the arrangements for such training and examinations:

Provided that the Council shall not approve arrangements under this paragraph unless they are satisfied that the arrangements do not materially impair the facilities for the training of dental students.

(2) Subject to the provisions of the next following paragraph, a certificate granted by a dental authority or other body providing an approved course of study and examinations for a particular class of ancillary dental workers, which purports to attest the fitness of the person to whom it is granted to practise dentistry to the extent permitted by the regulations for that class, shall be a certificate conferring the right to the inclusion of the name of the person to whom it is granted in the appropriate roll of the class of ancillary dental workers specified in the certificate.

(3) Where in accordance with the provisions of this regulation the Council have approved arrangements made by a dental authority or other body and it subsequently appears to the Council that the arrangements are materially impairing the facilities for the training of dental students or that courses of instruction or examinations held under the arrangements are defective, the Council may withdraw their approval from the arrangements and a certificate granted by the dental authority or other body concerned after the date on which approval was withdrawn shall not be a certificate for the purposes of the last foregoing paragraph.

8.—(1) The Council shall from time to time appoint a visitor or visitors to visit places where instruction is given and to visit examinations held in accordance with the provisions of the last foregoing article.

(2) A visitor appointed under this article shall report to the Council on the sufficiency of the instruction given and the examinations held in the places which he visits, and on any other matters which may be specified by the Council either generally or in any particular case; but no visitor shall interfere with the giving of any instruction or with any examinations.

(3) A visitor under this regulation shall be entitled to be paid fees and expenses as prescribed in paragraph (7) of article 36 of the Rules and Regulations of the Council as if he were a visitor appointed in accordance with the provisions of that article.

Part IV—Disciplinary Erasure of a Name from a Roll

9.—(1) Where it is brought to the notice of the Council that an enrolled ancillary dental worker (in this part of these regulations referred to as "the respondent"), either before or after his name has been entered in a roll, (*a*) has been convicted of an offence which if committed in England would be a felony or misdemeanour or (*b*) is alleged to have been guilty of any misconduct, the Registrar after making such further inquiries as he considers necessary, shall submit the matter to the chairman of the Committee, who shall, if he thinks fit, bring it before the Committee.

(2) The Committee may at any stage of the case take the advice of a solicitor appointed by the Council and may instruct him to obtain proofs of evidence in support of the allegations against the respondent, and may, in such cases as they think fit, decline to proceed with the matter unless the evidence in support of the charge (other than evidence of a conviction) is verified by statutory declaration.

(3) In any case in which the Committee decide to proceed, they shall invite the respondent to furnish any written statement or explanation which he may desire to offer, and shall consider such statement or explanation.

Where in such a case the Committee decide that a prima facie case is made out for the removal of the respondent's name from a roll, they may direct the Registrar to arrange a hearing of the case and may direct the solicitor to take all necessary steps for verifying the evidence to be submitted to the Committee and for obtaining the necessary documents and the attendance of witnesses.

10. When the Committee decide that the matter should proceed to a hearing, the solicitor shall send to the respondent a "notice of inquiry" specifying the matter alleged against the respondent in the form of a charge or charges and stating the day, time and place appointed for the hearing, together with a copy of these regulations, in a registered letter addressed to the respondent at the address entered against his name in the roll or at his last known address.

11. At any hearing held in accordance with these regulations, the respondent shall be entitled to be represented by a friend or by counsel or a solicitor:

Provided that if the respondent elects to be represented by counsel or a solicitor, notice of that fact shall be given in writing to the Registrar not less than seven days before the day appointed for the hearing.

12. At the hearing of the case, the solicitor or other person appointed by the Committee for the purpose shall first state to the Committee the facts of the case and the charge alleged against the respondent, and shall then submit to the Committee the evidence in support of the charge, and the respondent or his representative shall be entitled to cross-examine any witness appearing against him on matters relevant to the charge.

13. When the statement of the charge and the evidence in support thereof are concluded, the respondent, or his representative, shall be invited by the chairman to address the Committee and to tender evidence in answer to the charge, and the solicitor or other person appointed by the Committee for the purpose shall be entitled to cross-examine any witness tendered in answer to the charge, and to reply upon the whole case after the respondent or his representative has replied.

14. If the respondent does not attend, either personally or by representative, the Committee may proceed to hear and determine the case in his absence.

15.—(1) Upon the conclusion of the case the Committee shall, after consideration of the relevant evidence, pronounce their decision either forthwith or at a later date in writing or at a subsequent meeting.

(2) If the Committee find the charges against the respondent to be proved either in whole or in part, they may direct that his name be erased from any roll in which it is entered.

(3) As soon as the Committee pronounce their decision, the Registrar shall communicate that decision to the respondent by registered letter.

16. The Committee may, if they think fit, appoint a barrister, advocate or solicitor to advise them on questions of law arising in any proceedings under this Part of these regulations.

17. Where in the exercise of their powers under sub-paragraph (8) of paragraph 15 of Part II of the First Schedule to the Dentists Act, 1956, the Committee have appointed a sub-committee to deal with disciplinary questions connected with members of a class of ancillary dental workers, the provisions of this part of these regulations shall apply as if references to the Committee were references to the sub-committee so appointed.

18. If any question shall arise as to the meaning or effect of this Part of these regulations, or if any question or matter shall arise which is not provided for by this Part of these regulations, such question or matter shall be referred to the Council for advice and the Committee or sub-committee, as the case may be, shall act in accordance with any advice given by the Council concerning such question or matter.

Part V—Restoration after Disciplinary Erasure

19.—(1) Where the name of an enrolled ancillary dental worker has been removed from a roll under Part IV of these regulations any application for its restoration to the roll shall be made in writing addressed to the Registrar and signed by the applicant, stating the grounds on which the application is made.

(2) The application shall contain the names and addresses of two or more persons, of whom two shall be Justices of the Peace, ministers of religion, registered medical practitioners or registered dentists, able and willing to identify the applicant and give evidence as to his character and the nature of his employment both before and since the date of the removal of his name.

(3) When the Registrar is satisfied that the application has been duly made he shall submit it to the Committee, who may require the applicant to verify by a statutory declaration any statement made in his application, or any further statement which they may think necessary, and may, if they think fit, require the applicant to attend in person at a meeting of the Committee at which the matter is to be considered.

(4) The Committee shall not consider any application made within five months from the date of erasure or from the date of any previous application.

20. If, upon consideration of the application and of the evidence furnished in support of it, the Committee are satisfied that the name of the applicant should be restored to the roll, they may direct the Registrar accordingly, and, upon payment where applicable of the fee prescribed in regulation 6 of these regulations for retention of a name in a roll, his name shall be restored to the roll.

21. If any question shall arise as to the meaning or effect of this Part of these regulations, or if any question or matter shall arise which is not provided for by this Part of these regulations, such question or matter shall be referred to the Council for advice and the Committee or sub-committee, as the case may be, shall act in accordance with any advice given by the Council concerning such question or matter.

PART VI—DENTAL HYGIENISTS

22. There shall be established a class of ancillary dental workers who shall be called dental hygienists. The roll for this class kept by the Registrar in accordance with the provisions of regulation 2 of these regulations shall be called the roll of dental hygienists.

23. In accordance with the provisions of sub-section (4) of section eighteen of the Dentists Act, 1956, a person enrolled in the roll of dental hygienists (hereafter called a dental hygienist) shall be authorised to use the title "dental hygienist".

24.—(1) Subject to the provisions of this regulation, a dental hygienist shall be permitted to carry out dental work amounting to the practice of dentistry of the following kinds:

(*a*) cleaning and polishing teeth;

(*b*) scaling teeth (that is to say, the removal of tartar, deposits, accretions and stains from those parts of the surfaces of the teeth which are exposed or which are directly beneath the free margins of the gums, including the application of medicaments appropriate thereto);

(*c*) the application to the teeth of solutions of sodium or stannous fluoride or such other similar prophylactic solutions as the Council may from time to time determine;

(*d*) giving advice within the meaning of subsection (2) of section fourteen of the Dentists Act, 1921, on matters relating to oral hygiene;

but shall not be permitted to carry out dental work amounting to the practice of dentistry of any other kind.

(2) A dental hygienist shall not be permitted to carry out dental work amounting to the practice of dentistry except (*a*) under the direction of a registered dentist; and (*b*) after the registered dentist has examined the patient and has indicated to the dental hygienist the course of treatment to be provided for the patient.

(3) Except in the course of providing national or local authority health services, a dental hygienist shall carry out dental work amounting to the practice of dentistry only under the direct personal supervision of a registered dentist who is on the premises at which the hygienist is carrying out such work at the time at which it is being carried out.

25. Courses of instruction for the dental hygienist class shall not be approved by the Council for the purposes of paragraph (1) of regulation 7 of these regulations unless such courses extend over a period of at least nine months.

26. The possessor of the Minister of Health's Certificate of Proficiency in Oral Hygiene shall be entitled to have his name entered in the roll of dental hygienists as if that certificate were a certificate granted in accordance with regulation 7 of these regulations.

The Common Seal of the General Dental Council was hereto affixed in the presence of:— L.S.

E. Wilfred Fish, President,
David Hindley-Smith, Registrar,

this first day of August, 1957.

EXPLANATORY NOTE

(This Note is not part of the regulations, but is intended to indicate their general purport.)

These regulations contain in Parts II to V general provisions governing the enrolment of classes of ancillary dental workers, including provisions as to the training and examinations leading to enrolment and the machinery for removing a name from the roll and for restoring it.

Part VI provides for the establishment of a specific class of ancillary dental workers to be known as "dental hygienists", and regulation 24 specifies the kinds of dental work which dental hygienists may undertake and the conditions under which they may undertake such work.

The regulations were approved in draft:—

(*a*) by the Privy Council on the 21st day of May, 1957.

(*b*) by a resolution of the House of Lords on the 24th day of July, 1957.

(*c*) by a resolution of the House of Commons on the 10th day of July, 1957.

DESIGNS

1957 No. 867

The Copyright (Industrial Designs) Rules, 1957

Made - - - -	*17th May*, 1957
Laid before Parliament	*24th May*, 1957
Coming into Operation	*1st June*, 1957

The Board of Trade, in pursuance of the powers conferred upon them by section 36 of the Registered Designs Act, 1949(a), and subsection (5) of section 10 of the Copyright Act, 1956(b), hereby make the following rules:—

Industrial Application of Designs

1. A design shall be taken to be applied industrially for the purposes of section 10 of the Copyright Act, 1956, if it is applied—

(*a*) to more than fifty articles all of which do not together constitute a single set of articles as defined in subsection (1) of section 44 of the Registered Designs Act, 1949; or

(*b*) to goods manufactured in lengths or pieces, other than hand-made goods.

Interpretation

2.—(1) Reference in these Rules to the application of a design to any articles or goods means the application of the design to those articles or goods by a process of printing or embossing or by any other process whatsoever, and shall be deemed to include a reference to the reproduction of the design on or in those articles or goods in the course of their production.

(a) 12, 13 & 14 Geo. 6. c. 88. (b) 4 & 5 Eliz. 2. c. 74.