



香港牙醫管理委員會
THE DENTAL COUNCIL
OF
HONG KONG

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Dear Dentists,

Letter to Dental Practitioners Registered in Hong Kong

The purpose of this letter is to update you on a few issues pertaining to the practice of dentistry in Hong Kong.

Dental Companies

Dental companies are governed by section 12 of the Dentists Registration Ordinance. Recently the Dental Council noticed that the statutory requirements in respect of dental companies may not be fully understood by registered dentists.

As the law must be understood in order for it to be followed, the Council decided to provide the following guidance to registered dentists to help them to comply with the law:-

1. A dental company can provide only dental and ancillary services. Such ancillary services must be directly relevant to dentistry. No other business can be carried out.
2. A majority (i.e. over 50%) of the **directors** must be registered dentists.
3. Dentistry is practised by registered dentists only.
4. Each year on or before 7th January, a statement must be submitted to the Registrar of Dentists. The statement must be in the prescribed form (i.e. Form 5 in the First Schedule of the Dentists (Registration and Disciplinary Procedure) Regulations).
5. The annual statement must contain the names, business addresses and residential addresses of:
 - (i) **all directors** (i.e. persons acting in the position of directors by whatever name or title, including “*shadow directors*”);
 - (ii) **all managers**; and
 - (iii) **all persons who perform dental operations.**
6. Contravention of the above requirements is a criminal offence punishable by a fine of \$2,000 for each offence. Every director and manager of a contravening dental company is also guilty of the offence.

The Dental Council also wishes to emphasize that all registered dentists are required to comply with the law. Any contravention of the law may constitute unprofessional conduct and the registered dentists concerned may be liable to be disciplined by the Dental Council.

For the year 2010, every body corporate carrying on the business of dentistry is reminded to submit the Form 5 mentioned in item 4 above within the period of 1st to 7th January 2010.

Written judgments in disciplinary inquiries

At present, the written judgment of the Dental Council in any of its disciplinary inquiry is provided to the defendant dentist and members of the press present at the hearing immediately upon conclusion of the inquiry. The complainant will also be provided with a copy within 2 weeks after conclusion of the hearing.

With reference to the practice adopted by the Medical Council, it has been decided at the Policy Meeting held on 17 September 2009 that the Dental Council will publish in the Council's website future written judgments of the Council made in disciplinary inquiries on or after 17 September 2009 for the following educational purposes –

- (i) to provide information to the public for them to make an informed choice of dentists; and
- (ii) to allow the dental profession to obtain a full and accurate understanding of the decisions of the Council when making that order on the inquiry case.

Judgment of the inquiries handed down by the Council before 17 September 2009 will not be uploaded onto the Council's website.

In the normal course of event, a judgment will be published on this website within 3 working days after the conclusion of the disciplinary inquiry concerned. Should on appeal under section 23 of the DRO the Court reverse or vary the order so made by the Council at the inquiry, the Court decision will be so reflected against the said judgment of the Council.

Registration of additional qualifications

The Council and its Education and Accreditation Committee ("EAC") have been encountering increasing difficulties in considering applications for registering additional qualifications (i.e. post-basic dental qualifications and non-dental qualifications with relevance to dentistry). It has been decided that a temporary moratorium until end December 2009 has to be imposed in respect of applications for registering new additional qualifications pending a full review of the policy. Applications in respect of those qualifications which are already registrable with the Council are not affected by the temporary moratorium and will continue be processed.

Members of the profession are reminded that it is an infringement of section 1.3 of the updated *Code of Professional Discipline for the Guidance of Dental Practitioners in Hong Kong* ("the Code") published by the Council if a dentist uses a qualification that is not registered with the Council even if he does in fact hold such qualification. The Council may take disciplinary proceedings against a dentist who contravenes the provisions of the Code.

“Competences for the Hong Kong Dentist”

The Council has just adopted the competency document “Competences for the Hong Kong Dentist” after consulting and collating views of the various stakeholders of the profession, including the Faculty of Dentistry, the College of Dental Surgeons of Hong Kong and the Hong Kong Dental Association. The document will form the benchmarking basis for the Examination Committee in the conduct of the Licensing Examination of the Council, and for the EAC in the review of the standard and structure of undergraduate dental education and training in dentistry required for a person to become a registered dentist.

The competency document has been uploaded onto the Council’s website www.dchk.org.hk for general information.

Yours faithfully,



(Miss Evelyn S.C. LEUNG)
Secretary, Dental Council

- c.c. Chairman and Members, Dental Council
- Legal Adviser, Dental Council
- President, Hong Kong Dental Association
- Dean of Faculty of Dentistry, The University of Hong Kong
- President, College of Dental Surgeons of Hong Kong
- Chairman, Dental Committee of the Government Doctors’ Association