



THE DENTAL TECHNICIANS REGULATIONS 1968,  
AMENDMENT NO. 1

ARTHUR PORRITT, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 28th day of June 1971

Present:

THE RIGHT HON. SIR KEITH HOLYOAKE, G.C.M.G., C.H., PRESIDING IN  
COUNCIL

PURSUANT to the Medical and Dental Auxiliaries Act 1966, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Dental Technicians Regulations 1968, Amendment No. 1, and shall be read together with and deemed part of the Dental Technicians Regulations 1968\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

**2. Laboratory operators in company employment**—Regulation 7 of the principal regulations is hereby amended by inserting in subclause (6), after the word “regulation”, the words “but subject to subclauses (7) and (8) of this regulation”.

**3. Qualifications of laboratory operators**—(1) Regulation 7 of the principal regulations is hereby further amended by adding the following subclauses:

“(7) For the purposes of this regulation, a registered dental technician is not carrying on business on his own account while he is employed under a contract or contracts of service, other than a contract with a company of which he is a member, requiring him to perform dental technician’s work for more than 20 hours in a week, whether or not he is otherwise employed on that work during the remainder of the week.

“(8) If a registered dental technician is employed under a contract or contracts of service, other than a contract with a company of which he is a member, requiring him to work for more than 20 hours in some weeks but not in other weeks, and the question whether he carries on,

or intends to carry on, business on his own account arises for decision by the Board, the Board shall determine whether or not subclause (7) of this regulation applies in that case by calculating the average number of hours so required to be worked in a week over such period as it considers appropriate.

“(9) Neither subclause (3) nor subclause (4) of this regulation shall apply to a laboratory operator, who, by reason only of the provisions of subclauses (7) and (8) of this regulation, ceases to carry on business on his own account, if he does not perform dental technician’s work otherwise than pursuant to the contract or contracts of service under which he is employed.”

(2) Any application under subclause (1) of regulation 7 of the principal regulations, made but not determined before the commencement of these regulations, shall be considered and determined as if subclause (1) of this regulation had not been made.

(3) In the case of a person who is a laboratory operator employed under a contract or contracts of service at the commencement of these regulations, subclause (1) of this regulation shall not apply until the first day of January 1973, or until the contract or all the contracts, as the case may require, are determined, whichever is the sooner.

J. M. K. HILL,  
for Clerk of the Executive Council.

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#### EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

Under regulation 7 of the principal regulations certain registered dental technicians may be registered as laboratory operators while they are carrying on business on their own account. This amendment declares that a registered dental technician is not carrying on business on his own account while he is employed under a contract or contracts of service, other than a contract with a company of which he is a member, requiring him to perform dental technician’s work for more than 20 hours in a week, whether or not he is otherwise employed on such work during the remainder of the week. It is also provided that, in circumstances where the new provisions declare that a person ceases to carry on business on his own account, his name need not be removed from the list of laboratory operators if he does not perform dental technician’s work otherwise than pursuant to the contract or contracts of service under which he is employed.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 1 July 1971.

These regulations are administered in the Department of Health.