

The State Law and Order Restoration Council
The Dental and Oral Medicine Council Law
(The State Law and Order Restoration Council Law No. 5/89
The 4th Waxing Day of *Tabaung*, 1350 M.E.
(10th March. 1989)

The State Law and Order Restoration Council hereby enacts the following
Law:-

Chapter I
Title and Definition

1. This Law shall be called the Dental and Oral Medicine Council Law.
2. The following expressions contained in this Law shall have the meanings given hereunder:-
 - (a) **Dental and Oral Medicine** means medical science which includes the treatment of dental, gingival, periodontal and oral diseases by medical means and surgical means, prosthetic dentistry, conservative dentistry, correction of dento-facial anomalies by ortho-dontic means, preventive and community dentistry;
 - (b) **Council** means the Dental and Oral Medicine Council constituted under this Law;
 - (c) **Registration** means the entry of names in the Register of Dental and Oral Surgeons maintained under this Law;
 - (d) **Registrar** means the Registrar appointed under this Law;
 - (e) **Dental and Oral Surgeon** means any dental and oral-surgeon who has been registered under this Law. This expression includes persons who have been registered under the Myanmar Dental Surgeons Law, 1970;
 - (f) **Institute of Medicine** means any Medical University, Medical College or Medical School which can confer Dental and Oral Medicine degree or diploma.

Chapter II

Constitution of the Council

- (a) The Government shall constitute a Dental and Oral Medicine Council. Such Council shall consist of eleven council members whose appointment and election shall be made as follows:-
- (1) One Dental and Oral Surgeon
appointed by the Government Chairman
 - (2) Four Dental and Oral Surgeons
appointed by the Government Council members
 - (3) Five Dental and Oral Surgeons
elected from amongst themselves..... Council members
 - (4) The Registrar appointed under
this Law Secretary
- (b) The Council may assign any Council member the duties of a Treasurer. If no such assignment has been made, the Secretary shall act as a Treasurer.
- (a) The tenure of the Council for one term shall be four years commencing from the date of its constitution.
- (b) The term of office of the Council members shall be the same as the tenure of the Council.
- (c) A Council member shall have the right to be appointed or elected for three consecutive terms.
- (d) Should a vacancy occur in the membership of the Council, appointment or election of a new Council member shall be made in accordance with the provisions of this Law.
- (e) The term of office of the Council member who has been appointed or elected under sub-section (d) shall be till the expiry of the tenure of the existing Council.

A Council member shall cease to be a Council member, should any of following events occur:-

- (a) submission of resignation;
- (b) failure to attend a Council meeting for three consecutive times without the consent of the Council;

- (c) travelling abroad for more than six months without the consent of the Council;
- (d) cancellation of registration.

Chapter III

Duties and Powers of the Council

- 6.
 - (a) The Council shall, with the approval of the Ministry of Health, set up the establishment of the office of the Council with pay scales prescribed by the same Ministry.
 - (b) The Council shall appoint a Registrar with the approval of the Ministry of Health and the remaining personnel on its decision.
 - (c) The Council shall prescribe the duties of the Registrar.

- 7.
 - (a) The Council may, in accordance with the provisions of this Law, permit or refuse to register a person applying for registration as a Dental and Oral Surgeon.
 - (b) The Council may in accordance with the provisions of this Law, cancel the registration of any Dental and Oral Surgeon.
 - (c) The Council may permit registration of any Dental and Oral Surgeon whose registration has been refused or cancelled if it is in conformity with the provisions of this Law.
 - (d) In cases where persons who have obtained certificates inferior to a degree or an L. D. S Diploma of any Institute of Medicine make a living with any technical skill pertaining to dental and oral medicine, the Council may, with the approval of the Ministry of Health, prescribe conditions and may also issue a certificate permitting such livelihood.

- 8. Regarding matters contained in Section 7:-
 - (a) the Council may, if necessary, form an enquiry committee comprising three Council members and cause and enquiries to be made;
 - (b) the Council shall decide after examining the report and findings of the enquiry committee.

- (a) The Council shall take measures in connection with the recognition by foreign countries of Dental and Oral Surgeons and degrees of Dental and Oral Medicine of the Union of Myanmar.
- (b) The Council may recognize the Dental and Oral Surgeons, dental and oral medicine degrees and diplomas of foreign countries.

10. The Council may, regarding the reciprocal recognition mentioned in Section 9, call for reports and particulars necessary to determine whether or not the respective Institutes of Medicine have facilities to teach the subjects competently and may send one or more Council members in order to take measures in matters relating to examinations conducted by any such institute.

11. Matters relating to Council meetings and finance shall be carried out in the manner prescribed in the procedures.

Chapter IV **Registration**

12. Any person shall be permitted to practise dental and oral medicine whether with or without fees only after being registered under this Law.

13. The following persons shall be entitled to apply for permission to be registered as a Dental and Oral Surgeon:-

- (a) persons who, after obtaining the B.D.S degree from any Institute of Medicine of the Union of Myanmar, have served for a period of one year as a dental and oral house surgeon in accordance with the stipulations of the Ministry of Health;
- (b) persons who, after obtaining a degree in dental and oral medicine or a diploma not inferior to L.D.S from any foreign Institute of Medicine recognized by the Council, have served for a period of one year as a dental and oral house surgeon, in accordance with the stipulations of the Ministry of Health, if the Council deems it necessary.

14. If there is sufficient evidence that a person applying for permission to register under Section 13 infringes any of the following matters he may be refused registration permanently or for a specified period:—

- (a) conviction by a Court of Law of an offence specified and declared by the Council in this behalf to be an offence pertaining to character;
- (b) having sufficient evidence of being guilty of professional misconduct;
- (c) not being able to practise dental and oral medicine due to physical deformity or any other disease;
- (d) being a narcotic drug user;
- (e) having committed any act prejudicial to the interest of the Union of Myanmar which is specified and declared for this purpose by the Ministry of Health.

15. On the occurrence of any of the following events, in addition to the matters contained in Section 14, registration as a Dental and Oral surgeon shall be cancelled permanently or for a specified period:-

- (a) death;
- (b) application for cancellation of registration on his own initiative;
- (c) cessation of practice of dental and oral medicine.

16. (a) An applicant who conforms to the provisions of this Law shall be permitted to be registered.
- (b) A person permitted to be registered shall pay such registration fees as are prescribed by the Council.
- (c) A Dental and Oral Surgeon Registration Certificate shall be issued to a person permitted to be registered.
- (d) Renewal of Dental and Oral Surgeon Registration Certificate shall be made as prescribed in the procedures.
17. (a) Persons who have obtained certificates inferior to a degree or an L.D.S. diploma of any Institute of Medicine are entitled to apply for permission to make a living with any technical skill pertaining to dental and oral medicine.
- (b) An applicant under sub-section (a) who conforms to the prescribed conditions may be issued a certificate permitting him to make a living with any technical skill pertaining to dental and oral medicine.

Chapter V
Appeal

18. The Ministry of Health shall for the purpose of this Law, constitute an Appellate Committee comprising the following persons:-
- (a) Person assigned by the Minister,
Ministry of Health Chairman
 - (b) Head of Department of Dental Health,
Directorate of Health Member
 - (c) Chairman of the Council..... Member
19. (a) A person who is not satisfied with any decision of the Council under this Law may appeal to the Appellate Committee within 90 days.
(b) The decision of the Appellate Committee shall be final.

Chapter VI
Penalties

20. Whoever, not being a Dental and Oral Surgeon impersonates as such or prefixes before his name the title "Doctor" or "*Sayawun*", or acts like a Dental and Oral Surgeon shall be punished with imprisonment for a term which may extend to five years, and shall also be liable to a fine which may extend to kyats five thousand.
21. Whoever, although having obtained a degree or a diploma from any Institute of Medicine, practises dental and oral medicine with or without fees without being registered under this Law or without holding a certificate under Section 17 shall be punished with imprisonment for a term which may extend to three years or with fine which may extend to Kyats five thousand or with both.

Chapter VII
Miscellaneous

22. The Council shall be a body corporate with perpetual succession and common seal and shall have the right to sue or be sued in its corporate name.

23. The Appellate Committee and the Enquiry Committee constituted under this Law, shall abide by such procedures, as may be relevant, relating to Departmental Enquiries and Appeals issued by the Government from time to time.

24. In order to carry out the provisions of this Law:-

- (a) The Ministry of Health may, with the approval of the Government, prescribe necessary procedures;
- (b) The Ministry of Health or the Council may issue such orders and directives as may be necessary.

25. The Myanmar Dental Surgeons Law, 1970 is hereby repealed.

Sd./ Saw Maung

General

Chairman

The State Law and Order Restoration Council