

Professional Corporations Regulations (Regulation 5)

made under Sections 33, 45 and 52 of the

Dental Act

S.N.S. 1992, c. 3

O.I.C. 93-972, N.S. Reg. 186/93

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Professional Corporations Regulations (Regulation 5)
made under Sections 33, 45 and 52 of the
Dental Act
S.N.S. 1992, c. 3
O.I.C. 93-972 (December 21, 1993), N.S. Reg. 186/93

- 1** In this regulation
 - (a) “Act” means the *Dental Act*, S.N.S. 1992, c. 3, and any amendments;
 - (b) “Board” means the Provincial Dental Board of Nova Scotia;
 - (c) “permit” means a permit issued and in force pursuant to Section 4 of this regulation permitting a corporation to engage in the practice of dentistry;
 - (d) “Registrar” means the Registrar of the Board.
- 2** A corporation may engage in the practice of dentistry upon being issued a permit pursuant to this regulation.
- 3** An application for a permit shall be made to the Registrar.
- 4** The Registrar may issue a permit to a corporation that
 - (a) files an application on the form prescribed by the Board;
 - (b) pays the fee prescribed by the Board;
 - (c) provides the Registrar with a certificate of incorporation of the company pursuant to the Companies Act, R.S.N.S. 1989, c. 81 and satisfies the Registrar that the company is in good standing pursuant to both the Companies Act and the Corporations Registration Act, R.S.N.S. 1989, c. 101;
 - (d) satisfies the Registrar that the name of the corporation is a fit and proper name for a corporation engaged in the practice of dentistry;
 - (e) satisfies the Registrar that the majority of voting shares of the corporation are beneficially owned by one or more licensed dentists;
 - (f) satisfies the Registrar that the majority of the directors and officers of the corporation are licensed dentists.
- 5** A permit issued pursuant to Section 4 is valid for the licensing year in which it is issued.
- 6** A permit may be renewed upon application to the Registrar and upon satisfying the Registrar that the corporation continues to meet the conditions specified in Section 4.
- 7** An application for renewal shall be on a form prescribed by the Board.

- 8** A permit issued under Section 4 may be cancelled upon 15 days notice in writing by the Registrar where it appears to the Registrar that the corporation fails to meet any of the conditions specified in Section 4.
- 9** A corporation shall display the permit issued to it in a prominent place at its premises.
- 10** Where there is any change in the shareholdings or in the directors or officers of a corporation which holds a permit, the president of the corporation shall provide notice in writing to the Registrar within 15 days of the change.
- 11** Where a corporation holding a permit proposes to change the name of the corporation or operate under a business name other than the name of the corporation, the corporation shall first satisfy the Registrar that the proposed name or business name is a fit and proper name for use by the corporation engaged in the practice of dentistry.
- 12** The regulation of the Board containing the Advertising Standards of the Provincial Dental Board shall apply to any corporation which holds a permit under Section 4 of this regulation.
- 13**
 - (1)** A person entitled to engage in the practice of dental hygiene may do so in the employ of a corporation which is issued a permit pursuant to Section 4.
 - (2)** A person entitled to engage in the practice of dental assisting may do so in the employ of a corporation which is issued a permit pursuant to Section 4.
- 14** Any decision or action of the Registrar may be reviewed by the Board and such decision or action may be ratified, reversed or modified by the Board.