

ASEAN Mutual Recognition Arrangement on Dental Practitioners

PREAMBLE

The Governments of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, Lao People's Democratic Republic, Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand, and the Socialist Republic of Viet Nam, Member States of the Association of South East Asian Nations (hereinafter collectively referred to as ASEAN or ASEAN Member States or singularly as ASEAN Member State);

RECOGNISING the objectives of the ASEAN Framework Agreement on Services (hereinafter referred to as AFAS), which are to enhance cooperation in services amongst ASEAN Member States in order to improve the efficiency and competitiveness, diversify production capacity and supply and distribution of services of their services suppliers within and outside ASEAN; to eliminate substantially the restrictions to trade in services amongst ASEAN Member States; and to liberalise trade in services by expanding the depth and scope of liberalisation beyond those undertaken by ASEAN Member States under the General Agreement on Trade in Services (hereinafter referred to as GATS) with the aim to realising free trade in services;

RECOGNISING the ASEAN Vision 2020 on Partnership in Dynamic Development, approved on 14 June 1997, which charted towards the year 2020 for ASEAN the creation of a stable, prosperous and highly competitive ASEAN Economic Region which would result in:

- o free flow of goods, services and investment;
- o equitable economic development, and reduced poverty and socio-economic disparities;
- and
- o enhanced political, economic and social stability;

NOTING that Article V of AFAS provides that ASEAN Member States may recognise the education or experience obtained, requirements met, or licences or certifications granted in another ASEAN Member State, for the purpose of licensing or certification of service suppliers;

NOTING the decision of the Bali Concord II adopted at the Ninth ASEAN Summit held in 2003 calling for the completion of Mutual Recognition Arrangements (hereinafter referred to as MRAs or singularly as MRA) for qualifications in major professional services by 2008 to facilitate free movement of professionals/skilled labour/talents in ASEAN; and

PROVIDING an MRA for Dental Practitioners that would strengthen professional capabilities by promoting the flow of relevant information and exchange of expertise, experiences and best practices suited to the specific needs of ASEAN Member States;

HAVE AGREED as follows:

ARTICLE I

Member State	PDRA
Brunei Darussalam	Brunei Medical Board
Cambodia	Cambodian Dental Council and Ministry of Health
Indonesia	Indonesian Medical Council and Ministry of Health
Lao PDR	Ministry of Health
Malaysia	Malaysian Dental Council
Myanmar	Myanmar Dental Council, Ministry of Health
Philippines	Professional Regulation Commission, Board of Dentistry and Philippine Dental Association
Singapore	Singapore Dental Council and Dental Specialists Accreditation Board
Thailand	Thailand Dental Council and Ministry of Public Health
Viet Nam	Ministry of Health

2.8 Domestic Regulations include laws, by-laws, regulations, rules, orders, directives and policies relating to the practice of dentistry issued by the PDRA and/or relevant authorities.

2.9 Continuing Professional Development (hereinafter referred to as CPD) is the means by which members of the dental profession maintain, develop or improve their knowledge, skills and professional performance.

ARTICLE III RECOGNITION AND ELIGIBILITY OF FOREIGN DENTAL PRACTITIONERS

3.1 Recognition of a Foreign Dental Practitioner

A Foreign Dental Practitioner may apply for registration in the Host Country to be recognised as qualified to practise dentistry in the Host Country in accordance with its Domestic Regulations and subject to the following conditions:

3.1.1 in possession of a dental qualification recognised by the PDRA of the Country of Origin and Host Country;

3.1.2 in possession of a valid professional registration and current practising certificate to practise dentistry issued by the PDRA of the Country of Origin;

3.1.3 has been in active practice as a general Dental Practitioner or specialist, as the case may be, for not less than five (5) continuous years in the Country of Origin;

3.1.4 in compliance with CPD at satisfactory level in accordance with the policy on CPD mandated by the PDRA of the Country of Origin;

3.1.5 has been certified by the PDRA of the Country of Origin of not having violated any professional or ethical standards, local and international, in relation to the practice of dentistry in the Country of Origin and in other countries as far as the PDRA is aware;

and standards of dental practice of the Host Country.

ARTICLE V RIGHT TO REGULATE

This MRA shall not reduce, eliminate or modify the rights, power and authority of each ASEAN Member State, its PDRA and other relevant authorities to regulate and control dental practitioners and the practice of dentistry. ASEAN Member States, however, should undertake to exercise their regulatory power reasonably and in good faith for this purpose without creating any unnecessary barriers to the practice of dentistry.

ARTICLE VI ASEAN JOINT COORDINATING COMMITTEE ON DENTAL PRACTITIONERS

6.1 An ASEAN Joint Coordinating Committee on Dental Practitioners (hereinafter referred to as AJCCD) shall be established comprising of not more than two (2) appointed representatives from the PDRA of each ASEAN Member State with the following terms of reference:

6.1.1 to facilitate the implementation of this MRA through better understanding of the Domestic Regulations applicable in each ASEAN Member State and in the development of strategies for the implementation of this MRA;

6.1.2 to encourage ASEAN Member States to standardise and adopt mechanisms and procedures in the implementation of this MRA;

6.1.3 to encourage the exchange of information regarding laws, practices and developments in the practice of dentistry within the region with the view of harmonization in accordance with regional and/or international standards;

6.1.4 to develop mechanisms for continued information exchange as and when needed;

6.1.5 to review the MRA every five (5) years or earlier, if necessary; and

6.1.6 to do any other matters related to this MRA.

6.2 The AJCCD shall formulate the mechanism to carry out its mandate.

ARTICLE VII MUTUAL EXEMPTION

7.1 The ASEAN Member States recognise that any arrangement which would confer exemption from further assessment by the PDRA of the Host Country may be concluded only with the involvement and consent of the PDRA.

7.2 The ASEAN Member States note that the PDRA of the Host Country has the statutory

**ARTICLE X
FINAL PROVISIONS**

10.1 The terms and definitions and other provisions of the GATS and AFAS shall be applied and shall apply to matters arising under this MRA for which no specific provision is made herein.

10.2 This MRA shall enter into force six (6) months after the signing of this MRA by all ASEAN Member States. Any ASEAN Member State that wishes to defer implementation of this MRA shall notify the ASEAN Secretariat in writing of its intention within 6 months from the date of signature and the ASEAN Secretariat shall thereafter notify the rest of the ASEAN Member States. The deferment shall be effective upon notification by the ASEAN Secretariat to the other ASEAN Member States.

10.3 Any ASEAN Member State which has, pursuant to Article 10.2 of this MRA, given notice of deferment of its implementation, shall notify the ASEAN Secretariat of the indicated date of implementation of this MRA, which shall not be later than 1 January 2010. The ASEAN Secretariat shall thereafter notify the rest of the ASEAN Member States of the indicated date of implementation of this MRA. An ASEAN Member State which does not notify the ASEAN Secretariat of its date of implementation by 1 January 2010 shall be bound to implement this MRA on 1 January 2010.

10.4 This MRA shall be deposited with the ASEAN Secretariat, who shall promptly furnish a certified copy thereof to each ASEAN Member State.

IN WITNESS WHEREOF, the undersigned, being duly authorised thereto by their respective Governments, have signed this ASEAN Mutual Recognition Arrangement on Dental Practitioners.

DONE at Singapore, this 25th day of August in the Year Two Thousand and Eight, in a single original copy in the English Language.