STATUTORY RULES OF NORTHERN IRELAND

2007 No. 292

HEALTH AND PERSONAL SOCIAL SERVICES

General Dental Services (Amendment) Regulations (Northern Ireland) 2007

Made - - - -	*1st June 2007*
Coming into operation	*25th June 2007*

The Department of Health, Social Services and Public Safety(**1**), in conjunction with the Department of Finance and Personnel, makes the following Regulations in exercise of the powers conferred on it by Articles 61(1), (2) and (2AA), 106 and 107(6) of the Health and Personal Social Services (Northern Ireland) Order 1972(**2**).

In accordance with Article 61(4) of that Order the Department has consulted with such organisations as appear to be representative of the dental profession.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the General Dental Services (Amendment) Regulations (Northern Ireland) 2007 and shall come into operation on 25th June 2007.

(2) In these Regulations "the principal Regulations" means the Health and Personal Social Services General Dental Services Regulations (Northern Ireland) 1993(**3**).

Amendment of the principal Regulations

2.—(1) The principal Regulations are amended as follows.

(2) In regulation 2 (interpretation)—

(a) the definition of "the Services Committee Regulations" is omitted; and

(b) before the definition of "doctor" insert—

> ""the Disciplinary Procedures Regulations" means the Health and Personal Social Services (Disciplinary Procedures) Regulations (Northern Ireland) 1996(**4**);".

(3) Omit—

(**1**) See S.I. 1999/283 (N.I. 1), Article 3(6)
(**2**) S.I. 1972/1265 (N.I. 14); relevant amending Instruments are Article 13 of S.I. 1978/1907 (N.I. 26); Articles 30, 34, 35 and Part I of Schedule 5 to, and Part I of Schedule 6 to, S.I 1991/194 (N.I. 1); and S.I. 1997/1177 (N.I. 7)
(**3**) S.R. 1993 No. 326; relevant amending Regulations are S.R. 2001 Nos. 2 and 309
(**4**) S.R. 1996 No. 137

(a) regulation 9 (removal from dental list on grounds of age)(**5**); and

(b) regulation 10(3) (withdrawal from dental list).

(4) In regulation 23(1) (recovery of overpayments), for paragraph (b) substitute—

"(b) where he does not admit the overpayment but, the matter having been referred under regulation 7(1) of the Disciplinary Procedures Regulations for investigation, the Agency, the Board or the Department on appeal, decides that there has been an overpayment,".

(5) In regulation 29 (overpayments), for paragraph (b) substitute—

"(b) where he does not admit the overpayment but, the matter having been referred under regulation 7(1) of the Disciplinary Procedures Regulations for investigation, the Agency, the Board or the Department on appeal, decides that there has been an overpayment,".

(6) In paragraph 2 of Schedule 2 (incorporation of provisions of Regulations), for sub-paragraph (b) substitute—

"(b) so much of the Disciplinary Procedures Regulations as relates to—

(i) the investigation of questions arising between dentists and their patients, and other investigations to be made by the Disciplinary Committee, and the action which may be taken by the Board as a result of any such investigation,

(ii) any decision of the Department (whether on appeal or otherwise) in connection with any investigation referred to in head (i) or with any decision of the Committee, and

(iii) the investigation of record keeping;".

(7) In paragraph 26(8) of Schedule 2 (prior approval of treatment), for "Services Committee Regulations" there shall be substituted "Disciplinary Procedures Regulations".

(8) In paragraph 28(6)(b)(ii) of Schedule 2 (completion of care and treatment under a continuing care arrangement or a capitation arrangement or treatment on referral), for "Services Committee" there shall be substituted "Disciplinary Committee".

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 1st June 2007.

L.S.

Leslie Frew
A senior officer of the Department of Health, Social Services and Public Safety

(**5**) Regulation 9 was amended by S.R. 2003 No. 135