STATUTORY RULES OF NORTHERN IRELAND

1998 No. 245

HEALTH AND PERSONAL SOCIAL SERVICES

General Dental Services (Amendment) Regulations (Northern Ireland) 1998

Made - - - -	*6th July 1998*
Coming into operation	*1st August 1998*

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 61(1), (2) and (2AA), 106 and 107(6) of, and paragraph 8E of Part I of Schedule 11 to, the Health and Personal Social Services (Northern Ireland) Order 1972(**1**) and of all other powers enabling it in that behalf, and in conjunction with the Department of Finance and Personnel and after consultation with such organisations as appeared to the Department to be representative of the dental profession as required by Article 61(4) of the Order, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the General Dental Services (Amendment) Regulations (Northern Ireland) 1998 and shall come into operation on 1st August 1998.

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

Amendment of regulation 4 of the principal regulations

2. In regulation 4 of the principal regulations (dental list), in paragraph (2)(b)—

(a) at the end of paragraph (i), "and" shall be omitted; and

(b) at the end of paragraph (ii) there shall be inserted—

"; and

(iii) whether the dentist is indemnified against claims relating to the practice of dentistry in relation to dentistry performed by the dentist himself, and by any assistant, deputy and dental auxiliary whose work he directs.".

(**1**) S.I.1972/1265 (N.I. 14) as amended by 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); paragraph 8E of Part I of Schedule 11 was inserted by Article 4 of S.I. 1995/2704 (N.I. 14)

(**2**) S.R. 1993 No. 326 as amended by S.R. 1993 No. 401, S.R. 1995 No. 488, and S.R. 1996 Nos. 114 and 382

Amendment of regulation 5 of the principal regulations

3. In regulation 5 of the principal regulations (application for inclusion in the dental list), in paragraph (1)(a)—

(a) in paragraph (i),

(i) "or a dentist undertaking to provide only emergency dental services" shall be omitted;

(ii) for "11 and 14" there shall be substituted "11, 14 and 15"; and

(iii) at the end "and" shall be omitted; and

(b) for paragraph (ii) there shall be substituted—

"(ii) in the case of a dentist undertaking to provide only emergency dental services, the information specified in paragraphs 1, 2, 3, 4, 5, 5A, 11, 14, 15 and 16 of Part I of Schedule 3 and the undertaking specified in that Part of that Schedule; and

(iii) in any other case, all the information and the undertaking specified in Part I of Schedule 3; and".

Amendment of regulation 5A of the principal regulations

4. In regulation 5A of the principal regulations (applications for vocational training numbers)(**3**), in paragraph (4), for sub-paragraph (d) there shall be substituted—

"(d) he has practised in primary dental care in either the community dental service or the armed forces of the Crown for a period amounting in aggregate to not less than four years full-time employment (or part-time employment of equivalent duration), and has so practised for not less than four months in full-time employment (or part-time employment of equivalent duration) within the period of four years ending with the date of his application under regulation 5(1).".

Amendment of Schedule 2 to the principal regulations

5.—(1) Schedule 2 to the principal regulations (terms of service for dentists) shall be amended as follows.

(2) In paragraph 11 (termination of a continuing care arrangement or a capitation arrangement)—

(a) in sub-paragraph (1), for "sub-paragraph (4)" there shall be substituted "sub-paragraph (4) and paragraph 11A"; and

(b) in sub-paragraph (4), at the beginning there shall be inserted "Subject to paragraph 11A,".

(3) After paragraph 11 there shall be inserted—

"**Violent patients**

11A.—(1) Where—

(i) a person, with whom a dentist has a continuing care arrangement, or a capitation arrangement, has committed an act of violence against the dentist or an employee of the dentist or has behaved in such a way that such dentist or employee has feared for his safety; and

(ii) the dentist has reported the incident to the police,

the dentist may notify the Agency that he wishes the arrangement to be terminated immediately.

(**3**) Regulation 5A was inserted by S.R. 1993 No. 401