1991 No. 130

HEALTH AND PERSONAL SOCIAL SERVICES

General Dental Services (Miscellaneous Amendments) Regulations (Northern Ireland) 1991

Made . . . . . *28th March 1991*

Coming into operation—

except for the purposes of regulation 4B *1st April 1991*

for the purposes of regulation 4B *2nd April 1991*

The Department of Health and Social Services, in exercise of the powers conferred by Articles 61, 64A, 106 and 107(6) of and Schedule 15 to the Health and Personal Social Services (Northern Ireland) Order 1972(**a**) and with the approval of the Department of Finance and Personnel (**b**) in so far as they relate to Schedule 15 to that Order and in conjunction with the Department of Finance and Personnel in so far as they relate to Articles 61 and 64A of that Order and of every other power enabling it in that behalf, and after consultation with such organisations as appear to the Department to be representative of the dental profession as required by Article 61(4) of that Order, hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the General Dental Services (Miscellaneous Amendments) Regulations (Northern Ireland) 1991 and shall come into operation:

(*a*) except for the purposes of regulation 4B, on 1st April 1991; and

(*b*) for the purposes of regulation 4B, on 2nd April 1991.

(2) In these regulations, the "principal regulations" means the Health and Personal Social Services (General Dental Services) Regulations (Northern Ireland) 1975(**c**).

Amendment of regulation 4 of the principal regulations

2. In regulation 4(1) (dental list) after sub-paragraph (b) there shall be added the following sub paragraph:—

"(c) regulation 4B.".

(**a**) S.I. 1972/1265 (N.I. 14) as amended by S.I. 1981/432, S.I. 1984/1158 (N.I. 8), S.I. 1986/2023 (N.I. 20), S.I. 1986/2229 (N.I. 24), S.I. 1988/2249 (N.I. 24) and S.I. 1991/194 (N.I. 1)

(**b**) Formerly Department of Finance: *see* S.I. 1982/338 (N.I. 6) Art. 3

(**c**) S.R. 1975 No. 227. The relevant amending regulations are S.R. 1990 No. 342 and S.R. 1990 No. 381.

Insertion of regulation 4B into the principal regulations

3. After regulation 4A there shall be added—

"*Restrictions on the right to be included in the dental list*

4B. A dentist shall not be entitled to have his name included in the dental list if he has previous withdrawn his name from that list in circumstances where—

(*a*) the Department has certified for the purposes of regulation 7(7) of the Health and Personal Social Services (Superannuation) Regulations (Northern Ireland) 1984(**a**);

(*b*) the Secretary of State has certified for the purposes of regulation 8(7) of the National Health Service (Superannuation) Regulations 1980(**b**); or

(*c*) the Secretary of State for Scotland has certified for the purposes of regulation 10(4) of the National Health Service (Superannuation) (Scotland) Regulations 1980(**c**)

that, in the interests of the efficiency of general dental services, he should cease to provide such services.".

Amendment of regulation 18 of the principal regulations

4. In regulation 18(1) (Statement of dental remuneration) after the entry relating to Determination VIII (Postgraduate education allowances) there shall be added the following entry in the appropriate column:—

"IX Reimbursement of non-domestic rates.".

Amendment of Schedule 1 to the principal regulations

5. In Schedule 1 to the principal regulations (terms of service)—

(*a*) in paragraph 25 (Completion of an estimate)—

(i) in sub-paragraph (3), head (a) shall be deleted;

(ii) in sub-paragraph (4)(*a*) after the word "patient", there shall be added the words "or by any person acting on behalf of the patient";

(iii) sub-paragraph (4)(*c*) shall be deleted.

(*b*) in paragraph 37 (Deputies and assistants)

(i) in sub-paragraph 10, the words "or Article 4 of the Health and Medicines (Northern Ireland) Order 1988" shall be deleted.

Amendment of the Dental Charges Regulations ((Northern Ireland)) 1989

6. In paragraph 5 of regulation 4 of the Dental Charges Regulations (Northern Ireland) 1989(**d**) (calculation of charges) for "£150" there shall be substituted "£200".

(**a**) S.R. 1984 No. 336
(**b**) S.I. 1980/362. The relevant amending instrument is S.I. 1981/1205
(**c**) S.I. 1980/1177 to which these are amendments not relevant to the subject matter of these regulations.
(**d**) S.R. 1989 No. 111.