1990 No. 381

HEALTH AND PERSONAL SOCIAL SERVICES

General Dental Services (Miscellaneous Amendments) (No. 2) Regulations (Northern Ireland) 1990

Made	*24th October 1990*
Coming into operation . .	*1st November 1990*

The Department of Health and Social Services, in exercise of the powers conferred by Articles 61, 98, 106 and 107 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 of that Order and in conjunction with the Department of Finance and Personnel in so far as they relate to Article 61 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 the said Order, hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the General Dental Services (Miscellaneous Amendments) (No. 2) Regulations (Northern Ireland) 1990 and shall come into operation on 1st November 1990.

Amendment of the General Dental Services Regulations (Northern Ireland) 1975

2.—(1) The General Dental Services Regulations (Northern Ireland) 1975(**c**) shall be amended in accordance with the following paragraphs:—

(2) In regulation 11 (application for services) there shall be substituted the following regulation:—

"*Application for Services*

11.—(1) Any person ordinarily resident in Northern Ireland or Great Britain, or being a person to whom the provisions of the Health Services (Persons not Ordinarily Resident in Northern Ireland) Regulations (Northern Ireland) 1970(**d**) apply, requiring general dental services may apply to a dentist whose name appears on the dental list. The person shall produce to the dentist his medical card bearing his health service number

(**a**) S.I. 1972/1265 (N.I. 14) as amended by S.I. 1978/1907 (N.I. 26), S.I. 1981/432, S.I. 1984/1158 (N.I. 8), S.I. 1986/2229 (N.I. 24) and S.I. 1988/2249 (N.I. 24)
(**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
(**d**) S.R. & O. (N.I.) 1970 No. 56

and shall complete so far as applicable that part of the estimate together with such declaration as may be required by the Agency relating to eligibility for (*a*) general dental services or (*b*) general dental services without charge.

(2) A person aged 18 or over to whom the provisions of paragraph (1) apply may apply to any dentist whose name appears in the dental list for general dental services by way of—

(*a*) care and treatment under a continuing care arrangement;

(*b*) treatment on referral; or

(*c*) occasional treatment.

(3) Subject to paragraph (4) a person under the age of 18 to whom the provisions of paragraph (1) apply may apply to any dentist whose name appears in the dental list for general dental services by way of—

(*a*) care and treatment under a capitation arrangement;

(*b*) treatment on referral; or

(*c*) occasional treatment.

(4) A dentist may not enter into a capitation arrangement with a person during the month before he attains the age of 18.

(5) A person under the age of 18 to whom the provisions of paragraph (1) apply may apply to a dentist for general dental services by way of care and treatment under a continuing care arrangement at any time during the month before he attains the age of 18 provided that he is not immediately before that date receiving care and treatment under a capitation arrangement with that dentist.

(6) A person who is receiving care and treatment under a capitation arrangement with a dentist may at any time after he attains the age of 17 apply for general dental services by way of care and treatment under a continuing care arrangement with that dentist from the date he attains the age of 18.

(7) Application under this regulation shall be made in person at the practice premises unless a person is unable to attend those premises owing to illness or any other reasonable cause.''.

(3) In Schedule 1 (terms of service for dentists)—

(*a*) in paragraph 3—

(i) there shall be substituted for sub-paragraph (*c*) the following sub-paragraph:—

(*c*) for a person who is receiving dental services from another dentist (whether or not pursuant to the Order), treatment on referral;'';

(ii) in sub-paragraph (*d*)—

(*a*) at the end of head (iii) after the semi-colon there shall be inserted the word ''or''; and

(*b*) after head (iii) there shall be inserted the following head:—

''(iv) who is referred to him under paragraph 16A(1);'';