1980 No. 285

HEALTH AND PERSONAL SOCIAL SERVICES

General Dental Services (Amendment) (No. 2) Regulations (Northern Ireland) 1980

Made	*21st August 1980*
Coming into operation . . .	*1st October 1980*

The Department(a) of Health and Social Services in exercise of the powers conferred on it by Articles 61, 98, 106 and 107 of and Schedule 15 to the Health and Personal Social Services (Northern Ireland) Order 1972(b) and of every other power enabling it in that behalf, with the approval of and in conjunction with the Department(a) of Finance, 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 said Order, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the General Dental Services (Amendment) (No. 2) Regulations (Northern Ireland) 1980 and shall come into operation on 1st October 1980.

Amendment of regulations

2. The Health and Personal Social Services (General Dental Services) Regulations (Northern Ireland) 1975(c) shall be further amended as follows:

(1) In regulation 2 —

(*a*) for the definition "current authorised fee" there shall be substituted:

"'current authorised fee" in relation to any services means the fee set out in Sections I-VIII of Determination I of the Statement of Dental Remuneration as the fee payable to the dentist in respect of those services, but does not include —

(*a*) any fee so authorised in respect of a visit to a patient by a dentist;

(*b*) any fee in respect of the exceptional attendance by a dentist at his surgery in order to provide emergency treatment; or

(*c*) any fee or part of a fee payable by the patient in pursuance of regulations 15 and 16 and of paragraph 2 of Schedule 3;";

(*b*) in the definition "treatment" for the word "fittings" there shall be substituted the word "fillings".

(2) In regulation 4(3) for the expression "Schedule II to the Order" there shall be substituted the expression "Schedule 11 to the Order".

(3) In regulation 4 (Dental list) for paragraph (5) there shall be substituted:

"(5) (*a*) The Agency shall send a copy of the dental list to each Board and each Local Dental Committee and shall within fourteen days of any alterations which may from time to time be made therein inform each of them accordingly.

(a) Formerly Ministry: *see* 1973 c. 36 s. 40 and sch. 5 para. 8
(b) S.I. 1972/1265 (N.I. 14)
(c) S.R. 1975 No. 227 (II, p. 1117); relevant amending legislation is S.R. 1980 No. 82

(*b*) The Agency shall also send, if requested to do so, a copy of the dental list to the Department, the Local Medical Committee, the Local Pharmaceutical Committee and any person under contract with a Board to provide pharmaceutical services, and in such event at intervals of not more than three months shall notify them of any alterations made in the dental list:

Provided that, if the Agency considers that only portions of the dental list, or only some of the alterations thereto, are likely to concern any such Local Committee or person it may send to such Local Committee or person a copy of those portions or those alterations.".

(4) In the proviso to paragraph 2(*b*)(i) of regulation 15 for the words "£10 in the aggregate." there shall be substituted the words "in the aggregate the appropriate maximum charge prescribed under regulation 14.".

(5) In regulation 18 (Statement of Dental Remuneration) in paragraph (1), Column 2, Determination I after the words "items of dental treatment" there shall be inserted the words "and other services".

(6) In Schedule 1, Part I, paragraph 9 (Provision and prior approval of treatment) for sub-paragraph (5) there shall be substituted:

"(5) Where a dentist —

(*a*) has been notified that a patient has been requested to submit himself for examination by a dental officer, and

(*b*) has not been notified that the examination has been carried out or cancelled,

he shall not provide any treatment other than emergency treatment to that patient and shall take all reasonable steps to facilitate the said examination.

(6) Where a dentist —

(*a*) has been notified that the Services Committee set up under the Health and Personal Social Services (Services Committee) Regulations (Northern Ireland) 1973(**d**) will investigate a complaint or reference relating to the provision by him to a patient of general dental services, and

(*b*) has not been notified —

(i) that the investigation has been completed, or

(ii) that the Services Committee has no objections,

he shall not provide any treatment other than emergency treatment to that patient and shall take all reasonable steps to facilitate the said investigation.".

(7) In Schedule 1, Part I, paragraph 10 (Occasional treatment) —

(*a*) in sub-paragraph (1) for the words "item of treatment" there shall be substituted the words "of the items of treatment or other services";

(*b*) for sub-paragraph (2) there shall be substituted:

"(2) The items of treatment and other services to which this paragraph applies are —

(*a*) (i) repairs to dentures not requiring the prior approval of the Committee;

(ii) adjusting a denture (including any easing or polishing thereof), other than a denture provided, relined or rebased by the dentist within the preceding six months;

(**d**) S.R. & O. (N.I.) 1973 No. 416 (II, p.2418)