1966. No. 316 **[C]**

HEALTH SERVICES

General Dental Services

REGULATIONS, DATED 23RD DECEMBER 1966, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER THE HEALTH SERVICES ACT (NORTHERN IRELAND) 1948.

The Ministry of Health and Social Services in exercise of the powers conferred on it by Sections 11, 13, 74, 76, 80 and 81 of the Health Services Act (Northern Ireland) 1948(**a**) and of all other powers enabling it in that behalf and in conjunction with the Ministry of Finance, hereby makes the following regulations:

1. These regulations may be cited as the Health Services (General Dental Services) (Amendment) Regulations (Northern Ireland) 1966.

2. The Health Services (General Dental Services) Regulations (Northern Ireland) 1964(**b**) shall be amended as follows:

(1) In Part II Regulation 4:

(*a*) paragraph (4)(*d*) shall be deleted;

(*b*) paragraphs (5) and (6) shall be renumbered (6) and (7) respectively;

(*c*) after paragraph (4) the following paragraph shall be inserted: "(5) A dentist on the dental list shall within 14 days notify the Board of any change or addition affecting the entries which the dental list is required to contain in relation to him.";

(*d*) in paragraph (7) for the words "one month" there shall be substituted the words "14 days".

(2) In Part III:

(*a*) in Regulation 8:

(i) after the word "provided" there shall be inserted the words "or to sign a declaration or certificate for the purposes of regulation 14, or the appropriate form for the purposes of regulation 15";

(ii) after paragraph (*b*) the following paragraph shall be inserted: "(*c*) on behalf of any person under the care of the managers of an approved school by the managers of the school or a person duly authorised by them in that behalf";

(*b*) in Regulation 9 after the words "regulation 12" there shall be inserted the words "whether during or after the provision of such services".

(3) In Part V:

(*a*) in Regulation 14:

(i) paragraphs (5) to (10) shall be renumbered (6) to (11) respectively;

(ii) after paragraph (4) a new paragraph shall be inserted as follows—"(5) It shall be a condition of exemption from a charge referred to in paragraphs (3) and (4) that the declaration is made

(**a**) 1948, c. 3. (**b**) S.R. & O. (N.I.) 1964, No. 60.

in the form and manner indicated therein and that such documentary evidence of pregnancy or confinement is produced to the Board as they may require.";

(iii) paragraph (6)(*b*) shall be deleted;

(iv) after paragraph (11) a new paragraph shall be inserted as follows—"(12) Where a declaration in support of a claim to exemption is made under the provisions of paragraphs (3) and (4) of this regulation but the claim is not substantiated and in consequence of the claim a dentist has not recovered a charge in respect of the completion of treatment the Board shall be entitled to recover the said charge from the person concerned, whether or not such person has acknowledged the obligation to pay the charge in accordance with the provisions of paragraph (6)(*a*).";

(*b*) in Regulation 15:

(i) in paragraph (1)(*a*) for the word "plastic" there shall be substituted the words "synthetic resin" and after the word "vulcanite" there shall be inserted the words "or metal";

(ii) in paragraph (1) after the word "treatment" in the last line there shall be inserted the words "and the treatment of British merchant seamen and deep sea fishermen about to go to sea".

(4) In Part VI Regulation 18:

(*a*) paragraph (4) shall be renumbered (5);

(*b*) after paragraph (3) the following paragraph shall be inserted: "(4) The Committee may at their discretion, in cases of orthodontic treatment, authorise payments on account pending completion of treatment.";

(*c*) after paragraph (5) the following paragraph shall be inserted:
"*Recovery of overpayment.*
(6)(*a*) Where the Committee or the Board consider that they have authorised the payment of a fee, or made a payment, as the case may be, to a dentist owing to an error or in circumstances when it was not due and the overpayment is admitted by the dentist, it shall be deducted from his remuneration. Where the overpayment is not so admitted, the Board may refer the matter under regulation 4(2) of the Health Services (Services Committee) Regulations (Northern Ireland) 1948 for investigation, and if the Board, or the Ministry on appeal, decide that there has been an overpayment the amount overpaid shall be recovered by deduction from the dentist's remuneration or otherwise.
(*b*) Recovery of an overpayment under the provisions of this regulation shall be without prejudice to the investigation of an alleged breach of the terms of service.";

(*d*) after paragraph (6) the following paragraph shall be inserted: "(7) The fees and charges provided for in this regulation shall be payable only if the dentist complies with the conditions set out in Part VII of Schedule 6.".

(5) In Schedule 1:

(*a*) in paragraph 3:

(i) in paragraph (6) the heading shall be amended by adding after the word "Anaesthetics" the words "and arrest of haemorrhage";

(ii) after paragraph (6) the following paragraph shall be inserted: "(7) For the purpose of treating a patient for the arrest of abnormal haemorrhage a dentist may until 31st December 1966 make arrangements with a medical practitioner to provide the treatment on his behalf.";

(*b*) in paragraph 4 for the words "whose name appears on the dental list" there shall be substituted the words "under general dental services" and to the last sentence there shall be added the words "and shall indicate on the dental estimate form that the patient has been so referred for the required treatment";

(*c*) for paragraph 5 there shall be substituted:

"5(*a*) In each case in which a dentist provides treatment under the regulations he shall, subject to the provisions of paragraph 8, keep a record in the form set out in Part IV of Schedule 4 to be provided by the Board. The record card shall be the property of the dentist who shall be under a duty to retain it and, if required to do so, produce or send it within 14 days to the Committee, the Board or a dental officer. Such duty shall continue for a period expiring, in the case of treatment on an estimate requiring the Committee's prior approval, 4 years after the end of the financial year ending on the 31st March in which payment was made in respect of that treatment, or in any other case, 2 years after the end of such financial year;

(*b*) a dentist shall retain all films taken or obtained by him as part of dental treatment for a period of 12 months after the completion of that treatment, and shall during that period submit them to the Committee when requested to do so.";

(*d*) after paragraph 6(2) the following paragraph shall be inserted: "(3) A dentist shall not submit a dental estimate form claiming payment for the provision of general dental services:—

(*a*) for which payment is excluded by the provisions in the scale of fees precluding payment for (i) services provided within a specified period of time, or (ii) services provided within a specified period of time without the prior approval of the Committee; or

(*b*) which have been provided otherwise than in accordance with the conditions with respect to materials set out in Part VII of Schedule 6.";

(*e*) for sub-paragraph 7(1)(*b*) there shall be substituted "secure the completion of Part I of the form so far as applicable and the signing thereof by the patient or where regulation 8 applies, by the appropriate person";

(*f*) after paragraph 7(1)(*f*) the following paragraph shall be inserted: "(*g*) a dentist shall not set out in Part 7 of the form treatment not necessary in his opinion to render the patient dentally fit";

(*g*) in paragraph 7(3) after the word "received" there shall be inserted the words ": provided that the dentist may proceed immediately with the treatment of British merchant seamen and deep sea fishermen about to go to sea, and in such event shall send the form to the Committee for approval immediately after making the examination.";

(*h*) in paragraph 7(5)(*a*) after the word "dentures" there shall be inserted the words "or such period as may be allowed by the Committee in the case of orthodontic treatment";