

2005 No. 311

HEALTH AND PERSONAL SOCIAL SERVICES

**General Dental Services (Amendment) Regulations
(Northern Ireland) 2005**

Made - - - - - *24th June 2005*

Coming into operation *18th July 2005*

The Department of Health, Social Services and Public Safety(a), in exercise of the powers conferred on it by Articles 61(1), (2) and (2AA), 106 and 107(6) of the Health and Personal Social Services (Northern Ireland) Order 1972(b) 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) 2005 and shall come into operation on 18th July 2005.

(2) In these Regulations “the principal Regulations” means the Health and Personal Social Services General Dental Services Regulations (Northern Ireland) 1993(c).

Amendment of regulation 19 of the principal Regulations

2. In regulation 19(1) of the principal Regulations (Statement of Dental Remuneration), at the end of the Table insert in column (1) the Roman numeral “XI” and insert in column (2) “Practice allowance”.

Amendment of regulation 20 of the principal Regulations

3. In regulation 20 of the principal Regulations (Approval of payments), in paragraph (5), for “IX and X” substitute “IX, X and XI”.

Amendment to Schedule 2 of the principal regulations

4. In Schedule 2 to the principal Regulations (terms of service for dentists) after paragraph 33 (Premises etc) insert—

“Telephone services

33A.—(1) A dentist shall not be a party to any contract or other arrangement under which the number for telephone services to be used by—

(a) See S.I. 1999/283 (N.I. 1), Article 3(6)

(b) S.I. 1972/1265 (N.I. 14); relevant amending Instruments are 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); and S.I. 1997/1177 (N.I. 7)

(c) S.R. 1993 No. 326; relevant amending Regulations are S.R. 2001 Nos. 2 and 309

- (a) patients to contact the dentist for any purpose related to the provision of general dental services; or
- (b) any other person to contact the dentist in relation to services provided as part of the health service,

starts with the digits 087, 090 or 091 or consists of a personal number, unless the service is provided free to the caller.

(2) In this paragraph, “personal number” means a telephone number which starts with the number 070 followed by a further 8 digits.”.

Transitional arrangements in relation to telephone services and general dental services

5.—(1) Where as a result of the amendment of Schedule 2 of the Principal Regulations by virtue of regulation 4 of these Regulations, a dentist is, by virtue of a contract or other arrangement for the provision of telephone services entered into before the date these Regulations come into operation, in breach of his terms of service, no action shall be taken against the dentist in respect of that breach, provided that the dentist complies with the conditions specified in paragraph (2).

- (2) The conditions referred to in paragraph (1) are that the dentist—
 - (a) provides, within the time specified in the request, such details of the contract or other arrangement for telephone services as the Board may request; and
 - (b) varies or terminates that contract or other arrangement when required to do so by the Board in accordance with directions from the Department under Article 17 of the Health and Personal Social Services (Northern Ireland) Order 1972.

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 24th June 2005.

(L.S.) *Deirdre Kenny*
Senior Officer of the Department of Health, Social Services and Public Safety

Sealed with the Official Seal of the Department of Finance and Personnel on 24th June 2005.

(L.S.) *Dr. Mary McIvor*
Senior Officer of the Department of Finance and Personnel

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Health and Personal Social Services General Dental Services Regulations (Northern Ireland) 1993 (“the principal Regulations”) which regulate the terms on which general dental services are provided under the Health and Personal Social Services (Northern Ireland) Order 1972.

Regulation 2 and 3 amend regulations 19 and 20 of the principal Regulations so that Determination XI of the Statement of Dental Remuneration relates to the subject matter “Practice allowance”.

Regulation 4 inserts a new provision in to the terms of service banning the use of telephone services for the purposes of the provision of general dental services which make use of national rate numbers (starting with 087), premium rate numbers (starting with 090) or personal numbers (starting with 070).

Regulation 5 makes transitional arrangements in relation to dentists who have an arrangement to provide general dental services where the dentist has, before the coming into force of these Regulations, entered into a contract or other arrangement for the provision of telephone services which will breach the ban on certain types of telephone services inserted by regulation 4 of these Regulations. Such contractors will be required to vary or terminate their existing telephone arrangements in accordance with directions from the Department.

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