
STATUTORY INSTRUMENTS

1996 No. 177

The National Health Service (General Dental Services) (Scotland) Regulations 1996

PART III

method of obtaining general dental services

Application for services

20.—(1) A person aged 18 or over may apply to any dentist whose name appears in any dental list for general dental services by way of—

- (a) care and treatment under a continuing care arrangement; or
- (b) treatment on referral; or
- (c) occasional treatment.

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

- (a) care and treatment under a capitation arrangement; or
- (b) treatment on referral; or
- (c) occasional treatment.

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

(4) A person under the age of 18 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.

(5) 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 that he attains the age of 18.

(6) 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.

Exercise of choice of dentists in certain cases

21.—(1) An application to a dentist for general dental services shall be made—

- (a) on behalf of any person under the age of 16, by either parent, or in the absence of both parents, the guardian or other person who has the care of the child;
- (b) on behalf of any other person who is incapable of making such an application by a relative or any person who has the care of such person;

- (c) on behalf of any person under the age of 18—
 - (i) in the care of a local authority under Part II of the Social Work (Scotland) Act 1968⁽¹⁾ or under the relevant provisions of the said Part II as applied by section 44(5) of the said Act⁽²⁾, by a person duly authorised by that authority;
 - (ii) in the care of a voluntary organisation by that organisation or a person duly authorised by them; and
 - (d) on behalf of any person detained in a prison, remand centre or young offenders institution by a person authorised by the Secretary of State.
- (2) An application under paragraph (1) may not be made by the dentist to whom the application is made.

(1) 1968 c. 49; Part II of the Social Work (Scotland) Act 1968 was extended with modification by the Guardianship Act 1973 (c. 29) section 11(5).

(2) Section 44(5) was amended by the Children Act 1975 (c. 72), Schedule 3, paragraph 56 and by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c. 73), section 28.