
STATUTORY INSTRUMENTS

2005 No. 3477

The National Health Service (Dental Charges) Regulations 2005

Repayment of charges

10.—(1) This regulation applies to any person who—

- (a) pays any charge for relevant primary dental services or the supply of a dental appliance under the Act otherwise than as part of relevant primary dental services, payable pursuant to section 79 of the Act; and
- (b) would, but for regulation 7, be exempt from the charge under paragraph 1(1) of Schedule 12ZA to the Act.

(2) Subject to the following provisions of this regulation, any person to whom this regulation applies is entitled to have such a charge repaid.

(3) Subject to paragraph (4), it is a condition of the entitlement to a repayment under this regulation that the person makes a claim to the Secretary of State for the repayment—

- (a) within—
 - (i) three months after payment of the charge, or
 - (ii) such further period as the Secretary of State may for good cause allow; and
- (b) in a manner approved by the Secretary of State for that purpose; and
- (c) supported by such evidence as the Secretary of State may reasonably require.

(4) Subject to paragraph (5), where the person is unable for the time being to act, another person may make a claim on that person's behalf.

(5) The Secretary of State may refuse to accept a claim made by one person on behalf of another where, in the Secretary of State's opinion—

- (a) the person on whose behalf the claim is made is able to act; or
- (b) the person making the claim is not a suitable person to act on behalf of that other person.

(6) If satisfied that a person is entitled to repayment under this regulation, the Secretary of State shall cause a repayment to be made to that person in such manner as appears to the Secretary of State to be appropriate in the circumstances of the particular case.

Commencement Information

II Reg. 10 in force at 1.4.2006, see [reg. 1\(I\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The National Health Service (Dental Charges) Regulations 2005, Section 10.