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STATUTORY INSTRUMENTS

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**2005 No. 3477**

**The National Health Service (Dental Charges) Regulations 2005**

**Circumstances in which charges cannot be made for treatment that occurs after a course of treatment is completed**

6.—(1) Subject to paragraphs (2) and (3), where a provider of relevant primary dental services has provided a restoration to a patient as part of a course of treatment or an urgent course of treatment for which the relevant charge calculated in accordance with regulation 4 has been made, or would have been made if the patient was not exempt from being charged, and within the relevant period that restoration has to be repaired or replaced to secure oral health, no charge may be made or recovered for the repair or replacement of the restoration.

(2) Paragraph (1) shall not apply where—

- (a) within the relevant period, a person other than the provider of relevant primary dental services who carried out the original restoration has provided treatment on the tooth in respect of which the restoration was provided;
- (b) the patient was advised at the time of the restoration, and it was recorded on the patient record, that—
  - (i) the restoration was intended to be temporary in nature, or
  - (ii) a different form of restoration was more appropriate but, notwithstanding that advice, the patient insisted on the restoration that was provided; or
- (c) the repair or replacement is required as a result of trauma.

(3) In this regulation, “the relevant period” means the 12 month period beginning on the date on which the restoration was provided and ceasing 12 months after that date.

(4) Where a provider of relevant primary dental services has completed a course of treatment other than an urgent course of treatment but, within 2 months of that course of treatment being completed, the same provider determines that the patient requires further treatment which falls within the same or a lower charging band, calculated in accordance with paragraphs (1) to (4) of regulation 4, as the previous treatment and that further treatment is provided (whether or not within 2 months of that course of treatment being completed) by the same provider, no charge may be made or recovered in respect of that further treatment.

(5) In paragraph (4), “completed” means the patient has been provided with each and every component of the course of treatment.