STATUTORY INSTRUMENTS

1973 No. 1467

WATER SUPPLY, ENGLAND AND WALES

The East Shropshire Water Board (Shiffords Bridge No. 2 Borehole) Order 1973

Made - - - *17th August* 1973

Coming into Operation *1st September* 1973

The Secretary of State for the Environment, in exercise of powers conferred by section 23 of the Water Act 1945(a) and now vested in him (b) and of all other powers enabling him in that behalf, hereby orders as follows:—

Citation and commencement.

1.—(1) This order may be cited as the East Shropshire Water Board (Shiffords Bridge No. 2 Borehole) Order 1973 and shall come into operation on 1st September 1973.

(2) The East Shropshire Water Board Orders 1948 to 1972 and this order may be cited together as the East Shropshire Water Board Orders 1948 to 1973.

Interpretation.

2. In this order, unless the context otherwise requires—

"the Board" means the East Shropshire Water Board;

"the deposited plan" means the plan prepared in duplicate signed by an Under Secretary in the Department of the Environment and marked "Plan referred to in the East Shropshire Water Board (Shiffords Bridge No. 2 Borehole) Order 1973", one duplicate of which is deposited and is available for inspection at the offices of the Board and the other at the offices of the Secretary of State for the Environment;

"the land" means the land described in Schedule 1 to this order;

"the Third Schedule" means the Third Schedule to the Water Act 1945;

"the undertaking" means the water undertaking of the Board as for the time being authorised by any enactment.

Application of certain provisions of Third Schedule.

3. For the purposes of this order, the provisions of the Third Schedule which are specified in column (1) of Schedule 2 to this order shall, subject to the modifications set out in column (2) of the said Schedule 2, apply to the undertaking and are hereby incorporated with this order.

Construction and maintenance of works.

4.—(1) The Board may when they have acquired the necessary land or sufficient rights therein—

(*a*) construct and maintain a borehole on or under the land;

(a) 1945 c. 42.
(b) S.I. 1951/142, 1900; 1970/1681 (1950 I, pp. 1348, 1347; 1970 III, p. 5551).

[DOE 12444]

(*b*) construct and maintain on or under the said land (in addition to the works authorised by section 4 of the Third Schedule as applied to the undertaking by this order) all such wells, boreholes, adits and headings as may be necessary or expedient for augmenting or improving the supply of water obtainable by means of the said borehole.

(2) The works authorised by this order shall for all purposes form part of the undertaking.

SCHEDULE 1

LAND ON OR UNDER WHICH WORKS MAY BE CONSTRUCTED AND MAINTAINED UNDER THIS ORDER

Land at Shiffords Bridge forming part of enclosure numbered 8476 (National Grid series) in the parish of Norton in Hales in the rural district of Market Drayton on the 1/2500 ordnance map of Shropshire, sheet numbered SJ 6934 (edition of 1964) comprising 5,200 square metres or thereabouts and more particularly delineated and coloured red on the deposited plan.

SCHEDULE 2

PROVISIONS OF THE THIRD SCHEDULE APPLIED

(1) Provisions applied	(2) Modifications
Section 4 (General power to construct subsidiary works).	The words "and to any other provisions of the special Act limiting the powers of the undertakers to abstract water" shall be omitted; and after the word "land" there shall be inserted the words "described in the special Act and".
Section 92 (Liability of undertakers to pay compensation).	—
Section 94 (Copies of special Act to be kept by undertakers in their office and deposited with certain officers).	—

J. E. Beddoe,
An Under Secretary in the Department of the Environment.

Signed by authority of
the Secretary of State
17th August, 1973

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STATUTORY INSTRUMENTS

AUG. 1973

1973 No. 1468

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

The National Health Service (General Dental Services) Regulations 1973

Made - - - -	*20th August* 1973
Laid before Parliament	*3rd September* 1973
Coming into Operation	*1st October* 1973

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The Secretary of State for Social Services(a) in exercise of the powers conferred by the provisions set out in Column 1 of Schedule 2 to these regulations as amended by the provisions set out in Column 2 of the said Schedule and of all other powers enabling him in that behalf, hereby makes the following regulations:—

PART I

GENERAL

Citation and commencement

1. These regulations may be cited as the National Health Service (General Dental Services) Regulations 1973, and shall come into operation on 1st October 1973.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires:—

"the Act" means the National Health Service Act 1946(b);

"area" means in relation to a Council the area for which the Council is constituted;

"assistant" means any dentist employed either whole-time or part-time under a contract of service by another dentist for the purpose of providing general dental services on behalf of that dentist;

"the Board" means the Dental Estimates Board constituted under Part III of these regulations;

"chemist" means a registered pharmaceutical chemist who provides pharmaceutical services or an authorised seller of poisons within the meaning of the Pharmacy and Poisons Act 1933(c) who provides such services;

(a) For transfer of functions from the Minister of Health to the Secretary of State, *see* S.I. 1968/1699 (1968 III, p. 4585).
(b) 1946 c. 81. (c) 1933 c. 25.

"Council" means Executive Council;

"dental estimate form" means, where any treatment in respect of which the form is required is occasional treatment, the occasional estimate form set out in Determination VI of the Statement of Dental Remuneration or a form to the like effect and, in any other case, the dental estimate form set out in that Determination or a form to the like effect;

"dental fitness" means such a reasonable standard of dental efficiency and oral health as is necessary to safeguard general health, and "dentally fit" has a corresponding meaning;

"dental officer" means a dentist in the service of the Department of Health and Social Security, or of the Welsh Office, as the case may be;

"dentist" means a registered dental practitioner;

"deputy" means a dentist (including a partner) acting on behalf of another dentist, otherwise than in the capacity of an assistant, for the purpose of providing general dental services;

"doctor" means a fully registered medical practitioner;

"Drug Tariff" means the statement prepared by the Secretary of State under regulation 26 of the National Health Service (General Medical and Pharmaceutical Services) Regulations 1972(a);

"emergency treatment" means any treatment immediately required for the relief of pain or other urgent symptoms;

"enactment" includes a provision in a statutory instrument;

"estimate" means a dental estimate form duly completed in the manner provided by these regulations and in accordance with instructions for the completion of such form setting out a course of treatment for a patient;

"health centre" means premises provided by a local health authority in accordance with the provisions of section 21 of the Act;

"listed drugs" means such drugs and medicines as are included in a list for the time being approved by the Secretary of State for the purposes of section 38 of the Act as amended by section 23 of the Health Services and Public Health Act 1968(b);

"occasional treatment" means such treatment as is mentioned in Schedule 1 Part I paragraph 10 to these regulations;

"patient" means a person for whom a dentist agrees to provide general dental services;

"salaried dentist" means a dentist who is remunerated in accordance with Determination IV of the Statement of Dental Remuneration;

"Scale of Fees" means the scale of fees set out in Determination I of the Statement of Dental Remuneration;

"Statement of Dental Remuneration" means the Statement published by the Secretary of State pursuant to the provisions of regulation 23;

"supply" in relation to an appliance includes replacement;

"terms of service" means the provisions of Schedule 1 to these regulations as applicable by virtue of the provisions of regulation 3;

"treatment" means all proper and necessary dental treatment which a dentist usually undertakes for a patient, including examination and advice, the making of reports for the purposes of these regulations, the obtaining of radiographs, scaling, treatment of gums, fillings, extractions, crowning,

(a) S.I. 1972/1602 (1972 III, p. 4656). (b) 1968 c. 46.

provision of dentures and their repair and remaking, the administration of anaesthetics in connection with any such treatment, and the giving of orders on the appropriate form for drugs or the supply of drugs in accordance with these regulations.

(2) Unless the context otherwise requires, references in these regulations to any enactment shall be construed as references to that enactment as amended or re-enacted by any subsequent enactment.

(3) References in any other regulations to the regulations revoked by these regulations or to any provision thereof shall be construed as references to these regulations or to the corresponding provisions thereof, as the case may be.

(4) Unless the context otherwise requires, any references in these regulations to a numbered regulation is a reference to the regulation bearing that number in these regulations, and any reference in a regulation to a numbered paragraph is a reference to the paragraph bearing that number in that regulation.

(5) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(a) shall apply for the purposes of the interpretation of these regulations as they apply for the purposes of the interpretation of an Act of Parliament.

PART II

GENERAL ARRANGEMENTS FOR PROVISION OF GENERAL DENTAL SERVICES

Terms of service

3. The arrangements which a Council is required by section 40 of the Act to make with dentists for the provision of general dental services shall incorporate—

(*a*) in the case of a dentist undertaking to provide general dental services otherwise than as a salaried dentist, the terms of service contained in Schedule 1 Parts I and II to these regulations; and

(*b*) in the case of a dentist undertaking to provide general dental services as a salaried dentist, the terms of service contained in Schedule 1 Parts I and III to these regulations:

Provided that a dentist whose application to a Council to provide general dental services at a health centre otherwise than as a salaried dentist has been refused may appeal to the Secretary of State and the Council shall give effect to any decision of the Secretary of State on that appeal.

Dental list

4.—(1) The Council shall prepare a list, to be called "the dental list", which shall contain—

(*a*) the names of the dentists who, pursuant to the provisions of paragraph (2) have undertaken to provide general dental services in its area,

(*b*) the address of any surgery or health centre at which the dentist undertakes to provide general dental services,

(a) 1889 c. 63.

(*c*) particulars of the days and hours at which he is or will be usually in attendance,

(*d*) where two or more dentists practise in partnership, the names of the partners,

and which may, if the Council thinks fit, be so arranged as to show the part of the area in which each dentist will provide treatment.

(2) A dentist who wishes to be included in the dental list shall apply to the Council in the application form set out in Determination VI of the Statement of Dental Remuneration or in a form to the like effect, which shall include the matters required by paragraph (1) to be contained in the dental list in relation to him.

(3) A dentist in the dental list shall within 14 days of any change or addition affecting the entries which the dental list is required to contain in relation to him notify the Council accordingly.

(4) (*a*) The Council shall send a copy of the dental list to the Secretary of State, the Board and the Local Dental Committee and shall within 14 days of any alterations which may from time to time be made therein inform each of them accordingly.

(*b*) The Council shall also send, if requested to do so, a copy of the dental list to the Local Medical and Local Pharmaceutical Committees, the local health authority, the Regional Hospital Board, the Hospital Management Committees of hospitals serving the area, the Board of Governors of any teaching hospital in the area, and any chemist under contract with the Council to provide pharmaceutical services, and in such event at intervals of not more than three months shall notify them of any alteration made in the dental list:

Provided that, if the Council considers that only portions of the dental list, or only some of the alterations thereto, are likely to concern any such Committee, authority, Board or chemist it may send to such Committee, authority, Board or chemist a copy of those portions, or those alterations.

Information about assistants

5. The Council shall give to the Board such information as the Secretary of State may require concerning the employment of assistants by dentists.

Removal from dental list

6.—(1) Where a Council has determined that a dentist whose name has been included in the dental list—

(*a*) has died, or

(*b*) has ceased from being a registered dental practitioner

the Council shall remove the dentist's name from the dental list:

Provided that the name of any dentist whose practice is carried on by representatives in accordance with the provisions of the Dentists Act 1957(a) shall not be removed from the dental list as long as the practice is carried on by them in accordance with the provisions of that Act, and the representatives have secured

(a) 1957 c. 28.

tion (in this paragraph called "prior approval treatment") the dentist may proceed with and complete the treatment before sending the estimate to the Board for approval.

(2) Where the treatment which the patient is willing to undergo includes treatment so specified the dentist shall not later than 10 days after completing the examination send the estimate to the Board for approval and shall not proceed with any treatment so specified other than emergency treatment until such approval is received:

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 estimate to the Board for approval immediately after making the examination.

(3) (*a*) If during a course of treatment which does not include prior approval treatment, any variation or addition which includes such treatment is found to be necessary, the restrictions on treatment provided by sub-paragraph (2) shall apply to such part of the treatment as has not been commenced and the dentist shall as soon as reasonably practical submit to the Board an estimate of the whole of the treatment necessary (including that which has been begun).

(*b*) If during a course of treatment which includes prior approval treatment, any variation of or addition to such treatment is found to be necessary, which is or includes such treatment, the dentist shall without delay re-submit the estimate to the Board for prior approval and the Board may withdraw or vary its original approval in so far as treatment has not yet been carried out in accordance with such approval, or add thereto and, until the decision of the Board is received by the dentist, the restriction on proceeding with treatment contained in sub-paragraph (2) shall apply.

(*c*) Where in consequence of any proceedings under the National Health Service (Service Committees and Tribunal) Regulations 1956(a) (as amended)(b) in respect of general dental services provided in the area of any Council, a dentist is required for any period to submit to the Board for prior approval all estimates in respect of any treatment (other than examination or emergency treatment), he shall during that period submit within 10 days after making the examination all such estimates whether relating to treatment in that or any other area to the Board for approval and shall not carry out such treatment until the approval of the Board has been obtained.

(4) The dentist shall complete treatment with reasonable expedition and shall not take longer than 6 months from the date upon which the patient is accepted by him for treatment, or where prior approval of the treatment is required, from the date on which such approval is received by him, as the case may be:

Provided that—

(*a*) the time limit shall be 12 months in the case of treatment including extractions and the consequent provision of dentures or such period as may be allowed by the Board in the case of orthodontic treatment;

(*b*) treatment so far as it relates to the provision of dentures shall not be regarded as completed unless the dentures have been delivered to and remain in the possession of the patient;

(*c*) the time limit shall not apply where any delay is due to failure by the patient to attend for treatment or where the Board is satisfied that there is other sufficient reason.

(5) Where a dentist has been notified that a patient has been requested to submit himself for examination by a dental officer or that the dental services committee or denture conciliation committee set up under the National Health Service (Service Committees and Tribunal) Regulations 1956 (as amended) will investigate a complaint or reference relating to the provision by him to such patient of general dental services, the dentist shall not, until he has been notified that the examination has been carried out or cancelled, or that the investigation has been completed by the committee, or that the committee has no objection, provide any treatment other than emergency treatment to that patient, and shall take all reasonable steps to facilitate the said examination or investigation.

(a) S.I. 1956/1077 (1965 I, p. 1554).
(b) The relevant amending regulation is S.I. 1965/1366 (1965 II, p. 3878).

Occasional treatment

10.—(1) Notwithstanding anything contained in paragraph 9, a dentist may provide as occasional treatment any item of treatment mentioned in sub-paragraph (2) and submit in respect thereof an occasional estimate form as set out in Determination VI of the Statement of Dental Remuneration.

(2) The items of treatment to which this paragraph applies are—

(*a*) (i) repairs to dentures at a cost not exceeding the maximum fee prescribed by item 16 of the Scale of Fees;

(ii) treatment described in item 25(*e*) of the Scale of Fees;

(*b*) the following items of emergency treatment—

(i) not more than two extractions;

(ii) administration of a general anaesthetic in connection with items (i), (vii) and (viii);

(iii) dressing of teeth;

(iv) arrest of abnormal haemorrhage;

(v) a single radiological examination involving one intra-oral or extra-oral film (other than a panoramic film or a lateral headplate in conjunction with, a cephalometric technique) in connection with treatment under (i), (iii), (iv), (vi), (vii), (viii), (x) and (xi);

(vi) treatment of infected sockets;

(vii) incising an abscess;

(viii) opening a root canal for drainage;

(ix) treatment described in item 4 of the Scale of Fees;

(x) removal of sutures;

(xi) recementing an inlay, a crown or a bridge;

(xii) domiciliary visits in connection with any of the said items.

(3) Where a dentist submits the form specified in sub-paragraph (1), no fee shall be payable for a clinical examination, advice and report.

(4) A dentist shall not submit the form specified in sub-paragraph (1) in respect of treatment of the kind specified in sub-paragraph (2) where he has previously accepted the same patient for other treatment, not yet completed, or where on the same day he accepts him for other treatment. For the purpose of this sub-paragraph other treatment shall not include orthodontic treatment only.

Inability or unwillingness of dentist to complete treatment

11.—(1) If owing to any cause beyond the control of the dentist or because the dentist refers a patient for treatment under paragraph 5, he is unable to complete any treatment which has been commenced, he shall forthwith notify the Board in writing of the treatment completed, and of the reason for his inability to complete the remainder.

(2) The Council may, on the application of a dentist, authorise him on such terms as it thinks just to discontinue any treatment which he has commenced, but before doing so it shall consider any representations which the patient may wish to make with respect to the application, and if it grants the application it shall so inform the patient and the Board.

(3) In any case falling under sub-paragraphs (1) or (2) the Board shall authorise without prejudice to the provisions of Part V of the regulations, such payments as it may consider appropriate in respect of such treatment as has already been provided.

(*a*) if he has not attended a meeting of the Board for 12 months;

(*b*) if he is adjudged bankrupt or makes a composition or arrangement with his creditors; or

(*c*) if he is convicted of a criminal offence.

(4) A member, being either—

(*a*) a person who holds any paid appointment or office, or other place of profit in the disposal of a Regional Hospital Board, Hospital Management Committee, Board of Governors of a Teaching Hospital, or local health authority and who is dismissed from such appointment, office, or place of profit; or

(*b*) a person whose name is removed under the provisions of section 42 of the Act from any list prepared under Part IV of the Act,

shall forthwith cease to be a member.

Functions

11. The Board shall for the purpose of carrying out the duties imposed on it by these regulations consider all dental estimate forms whether submitted for prior approval of treatment specified in Determination II of the Statement of Dental Remuneration or for approval for payment and may give or withhold approval as it thinks fit; and for the purpose of determining whether or not to give approval may require a patient to submit himself for examination by a dental officer and may require the dentist to produce such records including radiographs and further particulars as it thinks fit.

Proceedings

12. The proceedings of the Board shall not be invalidated by any vacancy in the membership of the Board or by any defect in the appointment or qualification of any member thereof.

Officers

13.—(1) The Board shall appoint a person approved by the Secretary of State to act as clerk and such other officers as may be necessary. In so far as the terms on which the clerk is appointed contain conditions which have not been the subject of negotiations by a negotiating body and which have been approved by the Secretary of State after considering the result of those negotiations, the resolution appointing the clerk shall embody such terms.

(2) Where the remuneration of the clerk and other officers has been the subject of negotiations by a negotiating body and has been approved by the Secretary of State after considering the result of those negotiations the Board shall pay neither more nor less than the remuneration so approved to the clerk and such other officers and in any other case shall pay to the clerk and such other officers such remuneration as the Secretary of State may approve.

Standing orders

14. The Board may make, vary and revoke standing orders for the regulation of the proceedings and business of the Board, which orders shall be subject to the approval of the Secretary of State and in particular shall provide—

(*a*) for the chairman or, in his absence, for the appointment of a chairman to preside at meetings,

(*b*) for the method of voting for the determination of questions at meetings of the Board,

(*c*) for the chairman to have a second or casting vote in case of equal division of votes,

(*d*) for the keeping of minutes of the proceedings of every meeting of the Board,

(*e*) for a record to be kept of the attendance of members at such meetings,

(*f*) subject to such exceptions and qualifications as may be specified, that a member of the Board who has any pecuniary interest, direct or indirect, in any estimate or matter relating to the general dental services, shall as soon as practicable disclose the fact to the chairman and shall not take part in the consideration or discussion of any question with respect to the estimate or other matter,

(*g*) that such number of members of the Board, not being less than 4, as may be specified shall form a quorum.

Reports

15. The Board shall submit to the Secretary of State as soon as may be after the 31st December in each year a report of the Board's proceedings for the year ending on that day and shall also give the Secretary of State from time to time such information in regard to its work as the Secretary of State may require.

PART IV

METHOD OF OBTAINING GENERAL DENTAL SERVICES

Application for services

16. A person requiring general dental services may apply to any dentist whose name appears in any dental list.

Exercise of choice of dentists in certain cases

17. An application to a dentist for general dental services or a signature on an acknowledgement or declaration for the purpose of regulation 19, or on the appropriate form for the purpose of regulation 20 shall be made—

(*a*) on behalf of any person under the age of 16, by the mother, or in her absence, the father, 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; and

(*c*) on behalf of any person under the age of 18

(i) in the care of an authority to whose care such person has been committed under the provisions of the Children and Young Persons

Act 1969(a) or which has received such person into care under the Children Act 1948(b), 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:

Provided in each case that the application may not be made by the dentist to whom the application is made.

Examination by dental officer

18. It shall be a condition of obtaining general dental services that a person shall at any time, as may be required by the Board or the Council, submit himself for examination by a dental officer.

PART V

CHARGES PAYABLE BY OR ON BEHALF OF PATIENTS

Charges for treatment and appliances

19.—(1) A dentist shall be entitled to make and recover—

(*a*) the appropriate charge specified in the Schedule to the National Health Service Act 1951(c) as varied by section 1 of the National Health Service Act 1961(d) or by regulations(e) made under sections 1(5) and 2 of that Act in respect of the supply under these regulations of such dental appliances as are described in the said Schedule;

(*b*) any charge authorised by section 2 of the National Health Service Act 1952(f) as so varied.

(2) In providing general dental services for which a charge may be made under this regulation a dentist shall comply with the following provisions—

(*a*) the dentist shall obtain on the appropriate part of the dental estimate form, an acknowledgement by the patient or, where regulation 17 applies, by the appropriate person on his behalf, of his obligation to pay the said charge;

(*b*) the dentist shall on receiving a sum in payment or part payment of the said charge, give a receipt therefor on a form provided for the purpose by the Council or a form to the like effect.

(3) (*a*) A dentist providing general dental services for a patient who claims exemption, or in respect of whom exemption is claimed, under section 2(4) of the said Act of 1952 or under section 1(3) of the said Act of 1961 from a charge recoverable under paragraph (1) shall obtain from the patient or where regulation 17 applies from the appropriate person on his behalf a declaration on the appropriate part of the dental estimate form in support of the claim.

(*b*) Where the claim for exemption referred to in paragraph (3)(*a*) is on the grounds of pregnancy or confinement exemption shall be conditional on the

(a) 1969 c. 54. (b) 1948 c. 43.

(c) 1951 c. 31. (d) 1961 c. 19.

(e) S.I. 1961/909, 1968/1588, 1969/906, 1971/ 340, (1961 II. p. 1757; 1968 III, p. 4391; 1969 II, p. 2715; 1971 I, p. 1067). (f) 1952 c. 25.

production to the Board of such documentary evidence of the relevant pregnancy or confinement as it may require.

(4) The dentist shall obtain any acknowledgement or declaration referred to in paragraphs (2) and (3) before forwarding the dental estimate form to the Board.

(5) Any fee which but for this regulation would be payable by a Council to a dentist in respect of the provision of any treatment as part of general dental services shall be reduced by the amount payable in accordance with this regulation in respect of that treatment.

(6) Where a declaration in support of a claim to exemption is made under the provisions of paragraph (3)(*a*) 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 Council 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 (2).

(7) This regulation except paragraph (5) shall apply to the provision of general dental services by a salaried dentist.

(8) Any payment required to be made under this regulation shall be without prejudice to any other charge authorised by these regulations.

Additional charges for more expensive treatment

20.—(1) Where a dentist agrees to a patient's request as part of the provision by him of treatment for that patient—

(*a*) to supply or repair a denture which is of a more expensive type than that which is clinically necessary for dental fitness, or

(*b*) to supply a bridge which is of a more expensive type than a denture or bridge which is so clinically necessary, or

(*c*) to provide conservative treatment consisting of gold fillings, inlays or crowns which is of a more expensive type than the conservative treatment which is so clinically necessary—

he shall—

(i) complete in accordance with the terms of service an estimate for the treatment of the patient including the provision of the treatment of which a more expensive type has been requested by the patient,

(ii) complete a further estimate on the supplementary estimate form set out in Determination VI of the Statement of Dental Remuneration or on a form to the like effect of the cost of providing the more expensive denture, bridge, or conservative treatment requested by the patient,

(iii) obtain the patient's signature on both estimates, and

(iv) submit both estimates to the Board for approval under this regulation of the provision of the treatment in question.

(2) If the Board approve the estimates, it shall—

(*a*) determine the appropriate charge under the provisions of regulation 19(1) to be made and recovered from the patient for the treatment set out in the estimate, other than the treatment of which a more expensive type has been requested by the patient, and shall indicate in the appropriate part of the dental estimate form the amount of such charge;

(*b*) determine and indicate in the appropriate part of the dental estimate form the additional charge for the more expensive treatment which shall be the total of the following amounts—

(i) the amount which would be the appropriate charge under the provisions of regulation 19(1) for the items of treatment excluded from the determination under paragraph (2)(*a*):

Provided that the total of the charge determined under paragraph (2)(*a*) and the amount determined under this sub-paragraph shall not exceed any maximum charge prescribed in regulations made under the provisions set out in regulation 19(1).

(ii) the amount of the difference between the cost of the further estimate and the fees prescribed in the Scale of Fees for the items of treatment excluded from the determination under paragraph (2)(*a*):

Provided that for the purpose of ascertaining this amount any maximum fee other than a maximum at the discretion of the Board prescribed in the Scale of Fees for any combinations of treatment shall be ignored.

(3) The Council shall be liable for such part only of the cost of the treatment to which this regulation applies as is not by this regulation and regulation 19 made the liability of the patient.

(4) (*a*) The dentist other than a salaried dentist may make and recover from the patient the additional charge determined under paragraph (2).

(*b*) Where the treatment to which this regulation applies has been provided by a salaried dentist the Council shall make and recover from the patient such additional charge.

(*c*) The Council shall not be under a duty to make and recover the additional charge from the patient in any other case.

(5) Any denture, bridge or conservative treatment supplied or provided under this regulation which, in the opinion of the Board, is required by the patient solely because of his clinical condition, or any repair of a denture so supplied, shall be supplied or provided without cost to the patient under this regulation.

(6) It shall be a condition of the approval by the Board under this regulation of the estimate and of the further estimate that the dentist shall comply, whether in respect of treatment set out in the dental estimate form or in respect of treatment set out in the further estimate, with the conditions with respect to materials set out in Determination III of the Statement of Dental Remuneration.

Charges for replacement

21.—(1) Where the Board on considering an estimate submitted for the approval of a free replacement of a dental appliance supplied to a patient as part of general dental services considers that there are grounds for believing that the replacement may be necessitated by an act or omission on the part of the patient or (if it occurred when he was under sixteen years of age) of his or of the person having charge of him when it occurred, it may refer the matter to the Council for investigation.

(2) The Council shall make such inquiry into such reference as it thinks fit and if in its opinion the circumstances so require, or if the patient or (if he is under

sixteen years of age) the person having charge of him so demands, the inquiry shall take the form of an oral hearing by a committee of the Council constituted for this purpose who shall report to the Council thereon.

(3) The Council shall consider the report of such committee and shall determine whether the replacement is necessitated by an act or omission on the part of the patient or (if it occurred when he was under sixteen years of age) of his or of the person having charge of him when it occurred and whether the whole or a proportion of the cost of the replacement shall be borne by or on behalf of the patient.

(4) The Council shall communicate its decision to the patient or, where appropriate, to the person having charge of him, to the dentist and the Board, and the Council shall be responsible for the payment of such part only of the cost as is not determined to be payable by or on behalf of the patient:

Provided that if subsequently it appears to the Council that the payment of the cost or proportion thereof so determined to be borne by or on behalf of the patient would involve undue hardship to the patient or to the person having charge of him as the case may require it may make such contribution thereto as it thinks fit.

Payments and recovery of charges

22.—(1) A dentist may at any time decline to continue or proceed with treatment until he or, as the case may require, the Council, has received payment of the appropriate charges payable by or on behalf of a patient in accordance with these regulations.

(2) The dentist or, either in relation to a case falling within regulation 19(6) or to general dental services provided by a salaried dentist, the Council, shall be entitled to recover the said charges summarily as a civil debt from the patient or where regulation 17 applies from the appropriate person.

PART VI

REMUNERATION OF DENTISTS

Statement of Dental Remuneration

23.—(1) The Secretary of State shall after consultation with such organisations as he may recognise as representing dentists make provision for the matters set out in Column 2 below in determinations as numbered in Column 1 below against the respective matters which he shall publish in a statement called the Statement of Dental Remuneration.

Column 1 *Determination*	Column 2 *Subject matter of determination*
I	A Scale of Fees which shall prescribe the fees to be paid for the provision of items of dental treatment as therein specified;
II	Those items of treatment specified in Determination I which may not be provided without the prior approval of the Board;
III	Conditions with respect to materials which shall specify the standards of materials and restrictions in the purpose for which or any conditions subject to which materials may be used in the provision of general dental services;

IV	Rates and conditions of payment of remuneration for a salaried dentist;
V	Seniority payments;
VI	Forms for use in the provision of general dental services.

(2) The Secretary of State may from time to time and after consultation with such organisations as aforesaid amend a determination or any part thereof and shall publish any such amendment in the Statement of Dental Remuneration.

Approval of payments

24.—(1) The Board, where it approves an estimate in respect of treatment completed by a dentist other than a salaried dentist, shall authorise in accordance with the Scale of Fees, the fees to be paid by the Council to the dentist in respect of such treatment, and in the case of treatment completed by a salaried dentist shall notify such approval to the Council and to that dentist.

(2) The Council shall pay to a salaried dentist remuneration in accordance with Determination IV of the Statement of Dental Remuneration.

(3) The Board may at its discretion in cases of orthodontic treatment, authorise payments on account, pending completion of treatment.

Drugs

25. The fees payable by a Council to a dentist in respect of listed drugs supplied by him in pursuance of Schedule 1 Part I paragraph 12(1) to these regulations for use before a supply can be obtained otherwise shall be calculated in accordance with the provisions of the Drug Tariff.

Recovery of overpayments

26.—(1) Where the Board or the Council considers that it has authorised 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 recovered by deduction from his remuneration. Where the overpayment is not so admitted, the Council may refer the matter under regulation 4(5) of the National Health Service (Service Committees and Tribunal) Regulations 1956(a) (as amended)(b) for investigation, and if the Council or the Secretary of State on appeal decides that there has been an overpayment, the amount overpaid shall be recovered by deduction from the dentist's remuneration or otherwise.

(2) 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.

PART VII

MISCELLANEOUS

Isles of Scilly

27. In their application to the Isles of Scilly these regulations shall have effect subject to the modification that any provision in the regulations requiring

(a) S.I. 1956/1077 (1956 I, p. 1554).

(b) The relevant amending regulation is S.I. 1965/1366 (1965 II, p. 3878).

consultation with, or the agreement or opinion of, the Local Dental Committee in respect of any matter or requiring appointment to a committee from a panel nominated by the Local Dental Committee, shall not apply to the Executive Council for the Isles of Scilly unless a Local Dental Committee for the Isles of Scilly has been recognised by the Secretary of State under section 32 of the Act.

Publication of particulars

28. Copies of the dental list, these regulations, the terms of service, the lists of listed drugs and the Statement of Dental Remuneration shall be available for inspection at the offices of the Council and such other places in its area as appear to the Council to be convenient for informing all person interested and shall be kept revised and up to date.

Service of documents

29. Any notice which a Council is required or authorised by these regulations or the terms of service to give to a dentist shall be sufficiently given if it has been delivered to the dentist or sent by recorded delivery to him at the address last notified by him to the Council.

Revocation of regulations and transitional provisions

30.—(1) The regulations named in Schedule 3 to these regulations are hereby revoked:

Provided that—

(*a*) such revocation shall not affect any right, privilege, obligation or liability acquired, accrued or incurred, or anything duly done or suffered under those regulations;

(*b*) such revocation shall not affect any legal proceedings commenced before the revocation, or the commencement of any proceedings to enforce any such right, privilege, obligation, or liability as aforesaid, but any such proceedings may be continued or commenced as if these regulations had not been made;

(*c*) such revocation shall not affect any acknowledgement, agreement, appeal, application, appointment, approval, arrangement, authority, condition, contract, decision, declaration, dental estimate form, direction, determination, estimate, form, list, notice, requirement or tariff made, prepared, issued or given under the regulations so revoked, and every such acknowledgement, agreement, appeal, application, appointment, approval, arrangement, authority, condition, contract, decision, declaration, dental estimate form, direction, determination, estimate, form, list, notice, requirement or tariff shall, so far as it could have been made, prepared, issued or given under these regulations, have effect as if it had been so made, prepared, issued or given.

(2) Where a dentist has not completed a course of treatment for a patient in respect of which the form prescribed by the National Health Service (General Dental Services) Regulations 1967(a) as the dental estimate form was used in compliance with any regulation hereby revoked, that form shall be deemed to be the dental estimate form for the purpose of these regulations.

Keith Joseph,
20th August 1973. Secretary of State for Social Services.

(a) S.I. 1967/937 (1967 II, p. 2816).

SCHEDULE 1

TERMS OF SERVICE

PART I

GENERAL

Interpretation

1. In this Schedule, unless the context otherwise requires—

(*a*) the expression "the regulations" means the National Health Service (General Dental Services) Regulations 1973;

(*b*) any reference to a numbered regulation is a reference to the regulation bearing that number in the regulations;

(*c*) any reference to a numbered paragraph is a reference to the paragraph bearing that number in this Schedule, and any reference in a paragraph to a numbered sub-paragraph is a reference to the sub-paragraph bearing that number in that paragraph;

(*d*) other words and expressions have the same meaning as in the regulations.

Standard of service

2. In providing general dental services under the regulations, a dentist shall—

(*a*) employ a proper degree of skill and attention;

(*b*) except where the treatment provided is solely occasional treatment provide the treatment necessary to secure dental fitness which the patient is willing to undergo and subject to the provisions of paragraph 11 satisfactorily complete that treatment;

(*c*) save as is provided in paragraphs 3, 5, 15 and 23 give all treatment personally;

(*d*) comply with any requirements as to the materials to be used and any restrictions on the purpose for which or any conditions subject to which materials may be used, as set out in Determination III of the Statement of Dental Remuneration.

General anaesthetics

3. A dentist shall be responsible for providing the services of a doctor or another dentist when necessary for the administration of a general anaesthetic in connection with any operation undertaken by him in the provision of general dental services.

Domiciliary visits

4. A dentist shall visit and treat a patient whose condition so requires at any place where that patient may be which is not more than five miles from his surgery.

Referral to another dentist or to hospital and specialist services

5. If the condition of a person requiring general dental services is such as to require treatment which the dentist is unable to carry out, but such treatment to the knowledge of the dentist can be provided by another dentist under general dental services, or is available as part of the hospital and specialist services provided under Part II of the Act, the dentist shall inform the said person of the fact and if the person so wishes, the dentist shall take all necessary steps to enable him to receive such treatment. In referring a person to another dentist or to the hospital and specialist services, the dentist shall give adequate particulars in writing either beforehand or as soon as possible afterwards, and where that person is a patient shall include a statement of the amount paid to him by the patient under Part V of the regulations in respect of any treatment already provided in the course of treatment during which the referral is

made and shall indicate on the dental estimate form that the patient has been so referred for the required treatment.

Records

6.—(1) A dentist shall keep a record in respect of each patient in the treatment record form as set out in Determination VI of the Statement of Dental Remuneration to be provided by the Council, or in a form substantially to the like effect.

(2) A dentist shall retain all films taken or obtained by him as part of treatment for a period of twelve months after completion of that treatment, and shall during that period submit them to the Board as it may require.

Fees and remuneration

7.—(1) A dentist shall be paid fees or other remuneration as provided in or pursuant to the regulations in respect of any treatment which he has provided under general dental services.

(2) Except as otherwise provided in the regulations, a dentist shall not demand or accept the payment of any fee or remuneration—

(*a*) in respect of any treatment—

(i) which he is required to give or has provided under the general dental services;

(ii) which has not been provided or for which a claim has already been submitted to the Board;

(iii) for which payment is excluded by the provisions of the Scale of Fees precluding payment for services provided within a specified period of time, or for services provided without approval of the Board;

(iv) which has been provided otherwise than in accordance with the conditions with respect to materials set out in Determination III of the Statement of Dental Remuneration;

(*b*) if he is a salaried dentist.

Use of dental estimate form

8.—(1) In accepting a person for treatment other than occasional treatment and upon providing treatment for a patient, a dentist—

(*a*) shall complete the acceptance form as set out in Determination VI of the Statement of Dental Remuneration and give it to the patient;

(*b*) shall at the appropriate time, secure the completion of each relevant part of the dental estimate form as far as applicable by the patient, or, where regulation 17 applies, by the appropriate person;

(*c*) shall, at the appropriate time, complete each relevant part of the dental estimate form in accordance with instructions for the completion of such forms and in particular, shall set out in the form in accordance with such instructions the whole of the treatment necessary in his opinion to render the patient dentally fit and if the patient is not willing to undergo the whole of such treatment shall further set out in accordance with the said instructions the particulars of such part of that treatment as the patient is willing to undergo;

(*d*) in completing the dental estimate form, shall not set out therein treatment not necessary in his opinion to render the patient dentally fit.

(2) A dentist shall within one month of the completion of the treatment send to the Board the dental estimate form.

Provision and prior approval of treatment

9.—(1) Where the extent of the treatment the patient is willing to undergo does not include treatment specified in Determination II of the Statement of Dental Remunera-

that any dentist appointed by them for that purpose has agreed to be bound by the terms of service.

(2) Where a Council has determined in accordance with the succeeding provisions of this regulation that a dentist whose name has been included for the preceding six months in the dental list has not during that period provided general dental services, the Council shall remove the dentist's name from the dental list.

(3) Before making any determination under paragraph (2) the Council shall—

(*a*) give the dentist 28 days' notice of its intention to do so,

(*b*) afford the dentist an opportunity of making representations to the Council in writing or, if he so desires, orally to a committee appointed by the Council for the purpose, of which committee at least a third of the members shall be dentists from a panel nominated by the Local Dental Committee and

(*c*) except where the dentist is a salaried dentist, consult the Local Dental Committee.

(4) Nothing in this regulation shall prejudice the right of a dentist to have his name included again in the dental list.

(5) No determination under this regulation shall be made in respect of any dentist who is called into whole-time service in the armed forces of the Crown in a national emergency as a volunteer or otherwise, or compulsory whole-time service in those forces, including service resulting from any reserve liability, or any equivalent service by a person liable for whole-time service in those forces, until 6 months after the completion of that service.

Withdrawal from dental list

7. A dentist shall be entitled at any time to give notice in writing to the Council that he desires to withdraw his name from the dental list and his name shall be removed therefrom at the expiration of 3 months from the date of such notice or of such shorter period as the Council may agree:

Provided that if representations are made to the Tribunal under section 42 of the Act that the continued inclusion of a dentist in the dental list would be prejudicial to the efficiency of the general dental services, he shall not, except with the consent of the Secretary of State and subject to such conditions, if any, as the Secretary of State may impose, be entitled to have his name removed from the dental list pending the termination of the proceedings on such representations.

Arrangements to complete treatment

8.—(1) For the purpose of securing the completion of the treatment of patients whose dentist has ceased to be included in the dental list, the Council may after consultation with the Local Dental Committee and with the agreement of the patients concerned make arrangements with one or more dentists on such terms and conditions as the Board may approve for the completion of the treatment of such patients.

(2) Such arrangements shall secure that the treatment carried out by the dentist who has ceased to be included in the dental list and the completion of that

treatment by the dentist with whom arrangements are so made shall constitute a single course of treatment for the purpose of the making and recovery of the appropriate charge specified in the provisions set out in regulation 19(1).

(3) Where a dentist ceases to be included in the dental list because he has died, and the Council is satisfied that his practice is being carried on in accordance with the provisions of the Dentists Act 1957 it shall, subject to the agreement of the patient, make such arrangements with any dentist appointed by any representatives of the deceased dentist who by virtue of his arrangements with the representatives has agreed to be bound by the terms of service.

PART III

DENTAL ESTIMATES BOARD

Constitution

9.—(1) The Dental Estimates Board constituted by the National Health Service (General Dental Services) Regulations 1948(a) shall continue to subsist, subject to the provisions of this Part of these regulations, for the purpose of carrying out the duties imposed on it by these regulations.

(2) The Board shall consist of a chairman and a vice-chairman who shall be dentists and seven other members of whom five shall be dentists.

(3) The chairman, vice-chairman and other members shall be appointed by the Secretary of State after consultation with such organisations as the Secretary of State may recognise as representative of dentists.

(4) The Board shall continue to be a body corporate with perpetual succession and a common seal.

(5) The Board shall not acquire land except with the consent of the Secretary of State.

Tenure of office

10.—(1) Subject to the following provisions of this regulation—

(*a*) the chairman and the vice-chairman of the Board in office at the coming into operation of these regulations shall continue to hold office during the Secretary of State's pleasure;

(*b*) all other members of the Board at the coming into operation of these regulations shall continue to be members thereof until the dates on which their respective appointments, apart from this paragraph, would have expired;

(*c*) the Secretary of State may extend the said term in respect of any or all of such other members for such further periods not exceeding three years at any one time as he may think fit.

(2) A member of the Board who desires to resign his membership shall give notice thereof in writing to the Secretary of State.

(3) A member shall, unless the Secretary of State otherwise directs, cease to hold office—

(a) S.I. 1948/505 (Rev. XV, p. 605; 1948 I, p. 2107).

Drugs

12.—(1) A dentist may supply to a patient such listed drugs as are required for immediate administration or application or for use before a supply can be obtained under paragraph 13.

(2) A dentist may personally administer to a patient any drug required for the treatment of that patient.

13.—(1) A dentist shall order by issuing to a patient a prescription on a form to be provided by the Council for the purpose, such listed drugs (other than those supplied under paragraph 12) as are requisite for the treatment of the patient. The prescription shall be signed by the dentist and shall not refer to a previous prescription.

(2) Such a prescription shall not be issued to persons other than patients and a separate prescription shall be issued for each patient.

Signatures

14. Any signature by a dentist required by the regulations or terms of service shall be handwritten in ink with his initials or forenames and surname in his own handwriting and not by means of a stamp.

Ancillary dental workers

15. A dentist may in the provision of general dental services arrange for treatment to be given in accordance with the provisions of regulations having effect under section 41 of the Dentists Act 1957(a) by an ancillary dental worker to whom those regulations apply and shall ensure that such treatment is properly completed.

Revision of terms of service

16.—(1) The Council may, with the approval of the Secretary of State, alter the terms of service as from such date as the Secretary of State may approve by giving notice of the proposed alteration to each dentist.

(2) Except in the case of an alteration which results from the coming into operation of any Act of Parliament or from any amendment of any regulation, the alteration shall not come into operation within a period of three months from the date of the issue of the notice.

Incorporation of provisions, disputes, appeals, etc.

17. Any provisions of the following affecting the rights and obligations of dentists shall be deemed to form part of the terms of service—

(*a*) (i) the regulations,

(ii) the Statement of Dental Remuneration;

(*b*) so much of Part II of the National Health Service (Service Committees and Tribunal) Regulations 1956(b) (as amended)(c) as relates to

(i) the investigation of questions arising between dentists and their patients, and other investigations to be made by the dental services committee, the joint services committee and the denture conciliation committee, and the action which may be taken by the Council as a result of such investigations, including the withholding of remuneration from a dentist where there has been a breach of the terms of service,

(ii) appeals to the Secretary of State from decisions of the Council and the Board;

(a) 1957 c. 28. (b) S.I. 1956/1077 (1956 I, p. 1554).
(c) The relevant amending regulation is S.I. 1965/1366 (1965 II, p. 3878).

(iii) the investigation of record keeping, and

(iv) the investigation of excessive dental treatment.

PART II

ADDITIONAL TERMS OF SERVICE FOR DENTISTS OTHER THAN SALARIED DENTISTS

Premises

18.—(1) A dentist shall provide proper and sufficient surgery and waiting-room accommodation for his patients.

(2) A dentist's surgery shall be furnished with suitable equipment and a dentist shall provide treatment with suitable instruments.

(3) A dentist on receipt of reasonable notice in writing shall at all reasonable times admit a dental officer for the purpose of inspecting them to any surgery or waiting-room under the dentist's control.

Records

19. The record referred to in paragraph 6 shall be the property of the dentist who shall retain it, in the case of treatment requiring the Board's prior approval for 18 months after the end of the financial year in which payment was made in respect of that treatment, or in any other case for six months after the end of the said financial year or twelve months after the conclusion of the treatment, whichever is the longer, and shall during the period of retention produce or send the record within 14 days of any requirement so to do to the Board, the Council or a dental officer, as they may specify in such requirement.

Fees and remuneration

20. The provisions of paragraph 7(2) shall not have effect in relation to any claim made by a dentist in respect of loss of remunerative time resulting from failure of a patient to keep an appointment.

Use of dental estimate form

21. A deputy or assistant who signs a dental estimate form or any part of it on behalf of the dentist for whom he is acting shall do so in his own name and except where he is a partner whose name is included in the dental list shall also insert the name of that dentist.

Drugs

22. A deputy or assistant who issues under paragraph 13 a prescription for listed drugs shall in addition to signing his own name on such prescription insert thereon the name of the dentist for whom he is acting.

Deputies and assistants

23.—(1) Where a dentist is prevented from providing treatment by reason of temporary absence through illness or other reasonable cause, treatment may be given by a deputy.

(2) In the case of two or more dentists practising in partnership or as a principal and assistant, treatment may at any time be given by a partner or an assistant of the dentist who is responsible for the patient's treatment, if reasonable steps are taken to secure continuity of treatment.

(3) A dentist shall not employ more than two assistants at any one time for the provision of general dental services without the consent of the Council or Councils in whose areas he is providing such services, or on appeal the Secretary of State, and

before giving any consent under this sub-paragraph a Council shall consult the Local Dental Committee for its area:

Provided that any consent given by or under this sub-paragraph shall be subject to review by the Council in consultation with the Local Dental Committee at least once a year.

(4) A dentist shall notify the Council of the employment of an assistant within 7 days of the first day of employment and forward to the Council such particulars concerning the assistant as the Council may require; and on ceasing to employ an assistant he shall notify the Council within 7 days of the cessation of that employment.

(5) If a dentist intends to absent himself from his practice for more than 21 consecutive days he shall notify the Council or his patients of his intended absence and of the deputy or assistant (if any) responsible for providing general dental services during his absence.

(6) A dentist who intends to be or is absent from his practice for more than two months shall notify the Council in writing and shall not employ an assistant during the period in excess of two months of such absence without the consent of the Council.

(7) A dentist shall not employ as an assistant any dentist whose address in the dental list is that of a surgery or suite of surgeries at which the first named dentist undertakes to provide general dental services.

(8) Where a dentist employs an assistant who to the dentist's knowledge is subject to a requirement to submit estimates of any treatment (other than examination or emergency treatment) to the Board for prior approval, he shall not allow that assistant to carry out such treatment unless the prior approval of the Board has first been obtained.

(9) A dentist shall not, without the consent of the Secretary of State, employ as a deputy or assistant for the purpose of the provision of general dental services any dentist who is disqualified under the provisions of section 42 of the Act for inclusion in the dental list of any Council.

(10) Except as provided in sub-paragraph (11) a dentist shall be responsible for all acts and omissions of any dentist acting as his deputy or assistant.

(11) A dentist who is included in the dental list when acting as deputy to another dentist who also is included in that list, shall be responsible for his own acts and omissions in relation to the obligations under these terms of service of the dentist for whom he acts as deputy and for the acts and omissions of any person employed by him.

(12) A deputy shall be entitled to provide general dental services at places or at times other than those arranged by the dentist for whom he is acting, due regard being had to the convenience of patients.

Revision of terms of service

24. The Council shall not make any alteration under the provisions of paragraph 16(2) without consulting the Local Dental Committee.

Fair wages for dental technicians

25. A dentist who employs a dental technician shall pay rates of wages and observe hours and conditions of work not less favourable than those approved for the time being by the National Joint Council for the Craft of Dental Technicians.

PART III

ADDITIONAL TERMS OF SERVICE FOR SALARIED DENTISTS

Attendance

26.—(1) A dentist shall attend at the health centre on such days and on such hours as may be agreed between the Council and the dentist.

(2) The dentist shall not without the permission of the Council, be entitled to provide at the health centre any treatment which is not part of general dental services.

General anaesthetics

27. The Council or the dentist on behalf of the Council shall pay to a doctor or another dentist for the provision of a general anaesthetic by virtue of arrangements made under paragraph 3 a fee not exceeding the fee in the Scale of Fees appropriate to the item of treatment provided.

Records

28. The record referred to in paragraph 6 shall be the property of the Council who shall within 14 days of any requirement so to do, produce or send it to the Board or to the dental officer, as they may specify in such requirement. The dentist and the Council as the case may be shall also supply to the Board or the dental officer such information with regard to the treatment of patients as they may request.

Patients' charges

29. The dentist shall account for and pay over to the Council, in such manner as it may require, any charges which he shall make and recover from the patient or as the case may be the appropriate person on behalf of the patient under the provisions of Part V of the regulations.

Drugs

30. Any drugs supplied under paragraph 12 shall be obtained by the dentist in such manner as the Council may require.

Termination of services

31.—(1) Any arrangement between the Council and a salaried dentist for the provision of general dental services may be terminated by either party giving to the other three months' notice in writing:

Provided that if such dentist shall fail to comply with any of these terms of service the Council may terminate the agreement by giving him one month's notice in writing.

(2) The Council may at any time suspend a salaried dentist from the discharge of his duties, but such suspension shall not affect the right of the salaried dentist to receive remuneration during the continuance thereof.

SCHEDULE 2

PROVISIONS CONFERRING POWERS EXERCISED IN MAKING THESE REGULATIONS

Column 1		*Column 2*
Enactment conferring power		*Relevant amending enactment*
The National Health Service Act 1946(a)	Section 32	The National Health Service (Amendment) Act 1949(b), Section 29 and Schedule, Part I.
	38	The National Health Service (Amendment) Act 1949, Section 16
		The Health Services and Public Health Act 1968(c), Sections 23 and 30.

(a) 1946 c. 81.
(b) 1949 c. 93.
(c) 1968 c. 46.

Column 1		*Column 2*
Enactment conferring power		*Relevant amending enactment*
	39	—
	40	The National Health Service (Amendment) Act 1949, Sections 11 and 14(3) The Health Services and Public Health Act 1968, Sections 78(2) and Schedule 4
	44	The Health Services and Public Health Act 1968, Section 39(3)
	45	—
	74	—
The National Health Service Act 1951(a)	Section 1 and Schedule	The National Health Service Act 1961(b), Sections 1(1)(3)(5) and 2
The National Health Service Act 1952(c)	Section 2	The National Health Service Act 1961, Section 2
	7(6)	—
The National Health Service Act 1961	Section 2	—
The Health Services and Public Health Act 1968	Section 29	—

SCHEDULE 3

Regulations Revoked

The National Health Service (General Dental Services) Regulations 1967	S.I. 1967/937 (1967 II, p. 2816).
The National Health Service (Charges for Dental Treatment) Regulations 1968	S.I. 1968/544 (1968 I, p. 1284).
The National Health Service (General Dental Services) Amendment Regulations 1969	S.I. 1969/217 (1969 I, p. 605).
The National Health Service (General Dental Services) Amendment (No. 2) Regulations 1969	S.I. 1969/399 (1969 I, p. 1118).
The National Health Service (General Dental Services) Amendment (No. 2) Regulations 1970	S.I. 1970/1329 (1970 III, p. 4432).
The National Health Service (General Dental Services) Amendment (No. 3) Regulations 1970	S.I. 1970/1407 (1970 III, p. 4651).
The National Health Service (General Dental Services) Amendment Regulations 1971	S.I. 1971/984 (1971 II, p. 2858).
The National Health Service (General Dental Services) Amendment Regulations 1972	S.I. 1972/82 (1972 I, p. 226).
The National Health Service (General Dental Services) Amendment (No. 2) Regulations 1972	S.I. 1972/1336 (1972 II, p. 4035).
The National Health Service (General Dental Services—Seniority Payments) Regulations 1972	S.I. 1972/1842 (1972 III, p. 5347).
The National Health Service (General Dental Services) Amendment (No. 3) Regulations 1972	S.I. 1972/1899 (1972 III, p. 5532).

(a) 1951 c. 31. (b) 1961 c. 19. (c) 1952 c. 25.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations consolidate with amendments the National Health Service (General Dental Services) Regulations 1967 as amended. The principal amendment enables the Secretary of State to publish in a separate document called the Statement of Dental Remuneration, the details of treatment and the materials used in treatment under the general dental services and the remuneration for dentists providing these services.

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