1989 No. 228

HEALTH AND PERSONAL SOCIAL SERVICES

General Dental Services (Amendment) Regulations (Northern Ireland) 1989

Made	*19th June 1989*
Coming into operation . .	*24th July 1989*

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 61, 106 and 107 of the Health and Personal Social Services (Northern Ireland) Order 1972(**a**) and Article 4 of the Health and Medicines (Northern Ireland) Order 1988(**b**) and of all other powers enabling it in that behalf, and in conjunction with the Department of Finance and Personnel(**c**), 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 said 1972 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) 1989 and shall come into operation on 24th July 1989.

(2) In these regulations—

"the dental list" means the list prepared by the Agency in accordance with regulation 4(1) of the principal regulations;

"the principal regulations" means the Health and Personal Social Services (General Dental Services) Regulations (Northern Ireland) 1975(**d**).

Amendment of the principal regulations

2. After regulation 5 of the principal regulations there shall be inserted the following regulation:—

"*Removal from dental list on grounds of age*

5A.—(1) A Board shall, on each of the dates specified in column (1) of the Table below, remove from the dental list the name of any dentist included in the list who has, on or before that date, attained the age specified in column (2) of the Table in relation to that date.

(a) S.I. 1972/1265 (N.I. 14). As amended by S.I. 1978/1907 (N.I. 26), S.I. 1981/432 and S.I. 1988/2249 (N.I. 24)
(b) S.I. 1988/2249 (N.I. 24)
(c) Formerly Department of Finance: *See* S.I. 1982/338 (N.I. 6) Art. 3
(d) S.R. 1975 No. 227. The relevant amending regulations are S.R. 1980 No. 285 and S.R. 1981 No. 229

TABLE

(1)	(2)
1st April 1990	the age of 72
1st April 1991	the age of 71
1st April 1992	the age of 70
1st April 1993	the age of 69
1st April 1994	the age of 68
1st April 1995	the age of 67
1st April 1996	the age of 66
1st April 1997	the age of 65

(2) A board shall, on 1st April 1998 and in each successive year thereafter, remove from the dental list the name of any dentist included in the list who has attained the age of 65 during the period of 12 months ending on 1st April in that year.

(3) A board shall give to any dentist whose name is to be removed from the dental list in accordance with paragraph (1) or (2)—

(*a*) notice in writing to that effect not less than 12 months nor more than 13 months before the date on which his name is to be removed; and

(*b*) a further such notice not less than 3 months nor more than 4 months before that date,

but the failure to give notice to any dentist as required by sub-paragraph (*a*) or (*b*) shall not prevent the removal of that dentist's name from the dental list in accordance with paragraph (1) or (2).

(4) A Board shall, not later than 7 days after the removal in accordance with paragraph (1) or (2) of the name of any dentist from the dental list, notify the Department and the Agency in writing of the name, address, date of birth and dental list number of the dentist in question.''.

Transitional provision

3. In relation to any dentist whose name is to be removed from the dental list on 1st April 1990, the requirement as to notice in paragraph (3)(*a*) of regulation 5A of the principal regulations shall have effect as if for the references to ''12 months'' and ''13 months'' there were substituted references to ''7 months'' and ''8 months'' respectively.

Sealed with the Official Seal of the Department of Health and Social Services on 19th June 1989.

(L.S.) *J. Scott*
Assistant Secretary

Sealed with the Official Seal of the Department of Finance and Personnel on 19th June 1989.

(L.S.) *R. A. H. Miller*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations amend the Health and Personal Social Services (General Dental Services) Regulations (Northern Ireland) 1975 ("the principal regulations"), which provide for the arrangements under which dentists provide general dental services.

Regulation 2 inserts a new regulation 5A into the principal regulations to provide for the removal, annually from 1st April 1990, from lists of dentists providing general dental services, of the name of any dentist who has attained the age specified in relation to the year in question. The new regulation also provides for a dentist to be given written notice of the removal of his name from a list and for the Health and Social Services Board to notify the Department of Health and Social Services and the Central Services Agency. Transitional provision is made (in regulation 3) for the period of notice applicable in relation to those dentists whose names fall to be removed on 1st April 1990.