STATUTORY INSTRUMENTS

# 1985 No. 352

# NATIONAL HEALTH SERVICE, ENGLAND AND WALES

## The National Health Service (Dental Charges-Variation) Regulations 1985

| | |
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| *Made - - - - -* | *7th March* 1985 |
| *Laid before Parliament* | *11th March* 1985 |
| *Coming into Operation* | *1st April* 1985 |

The Secretary of State for Social Services, in exercise of powers conferred by sections 78(1) and 79 of, and paragraphs 2(1) and (2) and 3(1), (2) and (3) of Schedule 12 to, the National Health Service Act 1977(**a**) and of all other powers enabling him in that behalf, hereby makes the following regulations:—

*Citation, interpretation and commencement*

**1.** These regulations which may be cited as the National Health Service (Dental Charges—Variation) Regulations 1985 and which make amendments to the National Health Service (Dental and Optical Charges) Regulations 1978(**b**) (hereinafter referred to as "the principal regulations"), shall come into operation on 1st April 1985.

*Amendment of regulation 4(1) of the principal regulations*

**2.**—(1) Regulation 4(1) of the principal regulations shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 4(1)(*a*) for "£59·00" there shall be substituted "£63·00" and for "£30·00" there shall be substituted "£33·00".

(3) For regulation 4(1)(*b*) there shall be substituted the following paragraph:—

"(*b*) of any one or more items of service, other than those specified in paragraph (1)(*a*), which are provided under any contract or arrangement for the provision of general dental services, and which are subject to a charge under Section 79(1) of the Act, shall—

(i) where the total sum of the current authorised fees for such item or items of service is £17·00 or less, be an amount equal to that total sum; and

(ii) where the total sum of the current authorised fees for such item or items of service is more than £17·00, be an amount equal to the aggregate of £17·00 and 40% (rounded down, if necessary, to the nearest whole penny) of the amount by which the said total sum exceeds £17·00."

*Substitution of regulation 6 of the principal regulations*

**3.** For regulation 6 of the principal regulations there shall be substituted the following regulation:—

"*Maximum charge*

6. The amount of the charge which may be made and recovered pursuant to the provisions of regulations 3 and 4 in respect of any contract or arrangement for the provision of general dental services shall not exceed £115·00."

(**a**) 1977 c. 49; paragraphs 2 and 3 of Schedule 12 were amended by the Health Services Act 1980 (c. 53), Schedule 5, paragraphs 2 and 3 respectively.

(**b**) S.I. 1978/950; relevant amending instruments are S.I. 1979/677, 1980/352, 987, 1981/307, 1982/284, 1983/309, 1984/299.

*Substitution of Schedule 1 to the principal regulations*

**4.** For Schedule 1 to the principal regulations there shall be substituted the following Schedule:—

"SCHEDULE 1 Regulation 3

DENTAL APPLIANCES

| (1) *Description of Appliance* | (2) *Charge* |
|---|---|
| 1. A metal or porcelain based denture— | £ |
| having 1 to 3 teeth | 50·00 |
| having 4 to 8 teeth | 52·00 |
| having more than 8 teeth | 55·00 |
| 2. More than one metal or porcelain based denture | 98·00 |
| 3. A denture based in materials other than metal or porcelain— | |
| having 1 to 3 teeth | 26·00 |
| having 4 to 8 teeth | 28·00 |
| having more than 8 teeth | 30·00 |
| 4. More than one denture based in materials other than metal or porcelain | 47·00 |

*Note:* A bridge which takes the place of any teeth is deemed to be a denture having that number of teeth(a)."

*Application*

**5.** These regulations shall apply only in relation to:—

(*a*) the supply of dental appliances otherwise than under Part II of the National Health Service Act 1977, where the examination, or the first such examination, leading to such supply takes place after 31 March 1985;

(*b*) the provision of general dental services where the contract or arrangement, leading to the supply as part of those services of a dental appliance or to the provision, other than such supply, of dental services, is made after that date.

Signed by authority of the Secretary of State for Social Services.

*K. Clarke,*
Minister of State,
Department of Health and Social Security.

7th March 1985.

## EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These regulations amend the National Health Service (Dental and Optical Charges) Regulations 1978 by increasing charges for the supply of certain dental appliances and for the provision of dental treatment under the National Health Service Act 1977.

From 1st April 1985 the charges made for items of service provided as part of any contract or arrangement for the provision of general dental services, for which the amount of fees authorised to be paid to the dentist exceed £17·00, are in part identified as equal to a proportion of the fees so authorised.

(a) See paragraph 6 of Schedule 12 to the National Health Service Act 1977.

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