II. GENERAL DENTAL SERVICES

The National Health Service (General Dental Services) Regulations, 1948

1948 No. 505

Made - - - -	*12th March*, 1948
Laid before Parliament	*15th March*, 1948
Coming into Operation	*24th March*, 1948

107739.

The Minister of Health, in exercise of the powers conferred upon him by sections 32, 38, 39, 40, 44, 45 and 74 of the National Health Service Act, 1946, and of all other powers enabling him in that behalf, hereby makes the following regulations:— 9 & 10 Geo. 6. c. 81.

PART I

General

1. These regulations may be cited as the National Health Service (General Dental Services) Regulations, 1948, and shall come into operation on the 24th day of March, 1948. Short title and commencement.

2.—(1) In these regulations, unless the context otherwise requires, the following expressions have the respective meanings hereby assigned to them:— Interpretation.

" the Act " means the National Health Service Act, 1946;

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

" chemist " means any person on the pharmaceutical list of a Council;

" Council " means the Executive Council constituted for any area;

" dental estimate form " means the form set out in Part II of the fourth schedule to these regulations, 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 any dental officer appointed by the Minister for a district for the purpose of advising the Minister, the Board, Councils, Local Dental Committees, and dental practitioners on questions arising in connection with estimates submitted or dental treatment given by practitioners, or the conditions under which general dental services are provided by practitioners;

" dental treatment " means all proper and necessary treatment which a dental practitioner usually undertakes for a patient, including examination and advice, the obtaining of radiographs, scaling, treatment of the gums, fillings, extractions, crowning, provision of artificial dentures and their repair and remaking, and the administration of

anaesthetics in connection with any such treatment, and includes the giving of orders on the appropriate form for drugs or the supply of drugs in accordance with these regulations;

" drugs " means such drugs and medicines as are specified in the third schedule to these regulations;

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

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

" practitioner " means a registered dental practitioner;

" supply " in relation to an appliance includes replacement.

52 & 53 Vict. c. 63.

(2) The Interpretation Act, 1889, applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

PART II

General Arrangements for Provision of General Dental Services

Terms of service for practitioners.

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

(*a*) in the case of a practitioner undertaking to provide general dental services elsewhere than at a health centre the terms of service contained in Part I of the first schedule to these regulations, and

(*b*) in the case of a practitioner undertaking to provide general dental services at a health centre the terms of service contained in Part II of the said schedule.

(2) Where a practitioner provides general dental services both elsewhere than at a health centre and at a health centre, the arrangements shall incorporate the provisions contained in sub-paragraphs (*a*) and (*b*) of the last preceding paragraph and whichever provisions are applicable shall apply.

Dental list.

4.—(1) The Council shall prepare a list, to be called " the dental list ", of the practitioners who, having applied, are entitled to be included in the list.

(2) Application by a practitioner for inclusion in the dental list shall be made by delivering or sending the application by post to the Council in the form set out in Part I of the fourth schedule to these regulations, or in a form to the like effect.

(3) The dental list shall contain, in addition to the names of practitioners—

(*a*) the address of any surgery or health centre at which the practitioner undertakes to provide general dental services;

(*b*) particulars of the days and hours at which he is or will be normally in attendance;

(*c*) where two or more practitioners practise in partnership, the names of the partners; and

(*d*) where the practitioner is acting as an assistant, the name and address of the principal,

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

(4) Copies of the dental list shall be available for inspection at the office of the Council and at such other places as appear to the Council to be convenient for informing all persons interested and shall be kept revised up-to-date.

(5) The Council shall send a copy of the dental list to the Minister, to the Board and the Local Dental Committee and shall within seven days inform each of them of any alterations which may from time to time be made therein. The Council shall also send a copy of the 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 at intervals of not more than three months shall notify them of any alteration made in the dental list.

Arrangements for supply by practitioners of drugs.

5.—(1) Where in the opinion of the Council a practitioner's surgery is so situated that it would be inconvenient for any of the persons for whom he is providing general dental services to obtain drugs from a chemist, the Council may require him to supply the drugs specified in the third schedule to these regulations either (*a*) in respect of those persons or (*b*) in respect of all persons for whom he is providing general dental services:

Provided that notwithstanding such requirement the practitioner may if so requested by any such person instead of supplying such drug give a prescription for the same to be supplied by a chemist.

(2) Notwithstanding anything contained in this regulation—

(*a*) a practitioner shall not be required to undertake the supply of drugs under this regulation if he satisfies the Council, or on appeal the Minister, that he is not in the habit of supplying drugs or that the person to be supplied can with at least equal facility obtain a supply of drugs from a chemist; and

(*b*) a practitioner shall be entitled to receive reasonable notice from the Council that he is required to undertake the supply of drugs or that such supply is to be discontinued.

Publication of particulars.

6. The Council shall cause to be published, in such manner as appears to them best calculated to inform all persons interested, particulars of the arrangements made by the Council, including a statement of the places where copies of the terms of service for practitioners and copies of the dental list may be seen, the places at which any necessary forms of application are available, and any other particulars which the Council think proper.

PART III

Method of Obtaining General Dental Services

Elsewhere than at a health centre.

7. A person requiring general dental services may apply to a practitioner practising elsewhere than at a health centre whose name appears on any dental list.

At a health centre.

8. A person requiring general dental services may apply to a practitioner practising at a health centre whose name appears on the dental list of the area in which the centre is situated.

Exercise of choice of practitioner in certain cases.

9. The right to choose the person by whom general dental services are to be provided shall be exercised—

(*a*) on behalf of any person under the age of sixteen 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; and

(*b*) on behalf of any other person who on account of old age, sickness or other infirmity is incapable of choosing a person to provide any of the services by a relative or any person who has the care of such person.

Examination by dental officer.

10. It shall be a condition of obtaining general dental services that a person shall, if required by the Board, submit himself for examination by a dental officer.

PART IV

Dental Estimates Board

Constitution.

11.—(1) There shall be constituted a Board, to be called the Dental Estimates Board, for the purpose of the approval of estimates for dental treatment and of carrying out the duties imposed on them by these regulations.

(2) The Board shall consist of a chairman who shall be a practitioner and eight other members of whom six shall be practitioners.

(3) The chairman and other members shall be appointed by the Minister after consultation with such organisations as the Minister may recognise as representative of practitioners.

(4) The Board shall be a body corporate with perpetual succession and a common seal and a power to hold land without licence in mortmain:

Provided that the Board shall not acquire land except with the consent of the Minister.

Term of office.

12. The chairman and members of the Board shall hold office during the Minister's pleasure.

Resignation or removal of members.

13.—(1) A member of the Board who desires to resign his membership shall give notice in writing to the Minister.

(2) A member shall, unless the Minister otherwise directs, cease to hold office—

(*a*) if he has not attended a meeting of the Board for six 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.

(3) 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.

Officers.

14.—(1) The Board shall appoint a person approved by the Minister to act as clerk and shall also appoint such other officers as may be necessary. The resolution appointing the clerk shall embody the terms on which the appointment is made.

(2) The Board shall pay to the clerk and to their other officers such remuneration as the Minister may authorise.

Chairman.

15.—(1) At every meeting of the Board the chairman, if present, shall preside.

(2) If the chairman is absent from any such meeting, the members present at the meeting shall elect from amongst themselves a person to act as chairman for the meeting.

Proceedings.

16. 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.

Standing orders.

17. The Board may make, vary and revoke standing orders for the regulation of the proceedings and business of the Board, and in particular—

(*a*) for providing that such number of members of the Board, not being less than four, as the standing order may specify shall form a quorum; and

(*b*) for providing that, subject to such exceptions and qualifications as may be specified in the standing orders, if a member of the Board has any pecuniary interest, direct or indirect, in any estimate or other matter relating to general dental services, he 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.

Voting.

18. Every question at a meeting of the Board shall be determined by a majority of the votes of the members present and voting on the question, and in case of an equal division of votes the chairman shall have a second or casting vote.

Minutes.

19. Minutes of the proceedings at every meeting of the Board and a record of the attendance of members at such meeting shall be kept by the clerk or other officer appointed for the purpose.

Reports.

20. The Board shall submit to the Minister as soon as may be after the 31st day of March in each year a report of the Board's proceedings for the year ending on that day and shall also furnish the Minister from time to time with such information in regard to their work as the Minister may require.

PART V

Special treatment and treatment necessitated by lack of care

Expensive dental appliances and special dental treatment.

21.—(1) Where a practitioner agrees at a person's request either—

(*a*) to supply, as part of general dental services, any denture which is of a more expensive type than the corresponding type made of plastic or vulcanite, or

(*b*) to repair such a denture at a cost in excess of the cost of repair of the said corresponding type, or

(*c*) to provide, as part of such services, special dental treatment consisting of gold fillings, inlays or crowns,

he shall submit to the Board an estimate of the normal charge on a dental estimate form and a further estimate of the additional or special charge on the form set out in Part III of the fourth schedule to these regulations or on a form to the like effect. Before submitting the forms the practitioner shall obtain the signature of the person concerned to the further estimate and shall not proceed with any treatment other than emergency treatment until approval is given.

(2) In approving an estimate under the last preceding paragraph the Board shall indicate in Part 3 of the dental estimate form the amount determined in accordance with a scale set out in regulations made under the Act to be paid by the person supplied or treated and shall inform that person of the amount.

(3) The Council shall be liable for such part only of the cost of services to which this regulation applies as is not by this regulation made the responsibility of the person supplied or treated.

(4) Any denture or special treatment supplied or provided under paragraph (1) of this regulation which, in the opinion of the Board, is required by the person concerned owing solely to his clinical condition or any repair of a denture so supplied shall be supplied or provided free of charge to that person and the Council shall be liable for the whole of the cost thereof.

Replacements necessitated by lack of care.

22.—(1) Where on the receipt of an estimate for the replacement of a dental appliance to any person (in this regulation called " the patient ") as part of general dental services, the Board consider that there are grounds for believing that the replacement may be necessitated by lack of care on the part of the patient, they shall refer the matter to the Council for investigation.

(2) On receipt of such reference the Council shall make such inquiry into the matter as they think fit and if in their opinion the circumstances so require, or if the patient so demands, the inquiry shall take the form of an oral hearing by a committee of the Council constituted for this purpose.

(3) After the completion of such inquiry the Council shall determine whether the replacement is necessitated by lack of care on the part of the patient and whether the whole or a proportion of the cost of the replacement shall be borne by the patient and shall communicate their decision to the patient, the practitioner 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 the patient:

Provided that if subsequently it appears to the Council that the payment of the sum so determined to be payable by the patient would involve undue hardship they may make such contribution thereto as they think fit.

Provisions applicable to services at health centres.

23. In their application to general dental services provided at a health centre the provisions of this Part of the regulations shall be subject to the following modifications:—

(*a*) Where at the request of a person a practitioner agrees to supply or repair a denture or to provide treatment of a kind specified in regulation 21, the practitioner shall not be required to submit an estimate to the Dental Estimates Board, but, in lieu thereof, he shall give notice to the dental officer on a form to be supplied

by the Council and shall not proceed with the treatment other than emergency treatment until the approval of the dental officer is received. The notice to be given shall specify the sum to be paid by the person which shall be determined in accordance with the appropriate scale of fees and shall be subject to the approval of the dental officer.

(*b*) Any service provided under the last preceding paragraph which in the opinion of the dental officer is required by the person concerned owing solely to his clinical condition shall be provided free of charge to that person.

(*c*) Where in connection with the replacement of a dental appliance supplied to any person as part of general dental services it appears to the practitioner that there is reason to suppose that such replacement is necessitated by lack of care on the part of the person supplied, he shall, unless such person admits in writing that the replacement is so necessitated, report the matter to the Council. The Council shall thereupon investigate the case in the manner provided by paragraph (2) of regulation 22. If on such investigation the Council are satisfied that the replacement is not necessitated by such lack of care as aforesaid they shall so inform the person supplied and the practitioner. If such lack of care is admitted or determined as aforesaid, the practitioner shall be entitled to recover from such person the appropriate fees payable in respect of such replacement or such part of such fees as the Council may determine.

Payment of charge by person supplied.

24. The practitioner shall be entitled to recover from any person who receives services under this part of these regulations the appropriate fees payable by the person in accordance with these regulations, and the practitioner may decline to commence or proceed with treatment until he has received payment thereof.

PART VI

Transitional Provisions

25.—(1) Where before the appointed day a practitioner has undertaken in accordance with an approved estimate to give dental treatment in pursuance of the provisions of the National Health Insurance (Dental Benefit) Regulations, 1938(**a**), as amended, or has under such regulations commenced to give treatment which did not require prior approval of an estimate, the practitioner shall, on completing such treatment on or after that date return the estimate to the Board and shall be entitled to receive from the Council payment for such treatment in accordance with—

(*a*) the above-mentioned regulations, including the scale of fees then in force under them, in respect of such part of the treatment as has been carried out before the appointed day;

(*b*) these regulations, including the scale of fees in force on the appointed day, in respect of the remainder of the treatment.

(2) If payment has already been made by any person in respect of such treatment the Council may require as a condition of any payment by them that the practitioner shall refund to the person any excess over the amount payable by the patient in accordance with the National Health Insurance (Dental Benefit) Regulations, 1938, as amended.

(3) The Board shall determine any question arising under the foregoing paragraphs of this regulation as to whether treatment has been carried out on or after the appointed day.

(**a**) S.R. & O. 1938 (No. 1466) II, p. 2453.

(4) Nothing in this regulation shall be construed as affecting any liability to which the National Insurance Fund is subject by virtue of section 66 of the National Insurance Act, 1946(a) (which relates to the transfer of assets and liabilities) in respect of such part of any treatment as has been carried out before the appointed day.

FIRST SCHEDULE

PART I

TERMS OF SERVICE FOR DENTAL PRACTITIONERS PRACTISING ELSEWHERE THAN AT A HEALTH CENTRE

Interpretation.

1. In these terms of service, except so far as the context otherwise requires, the expression "the regulations" means the National Health Service (General Dental Services) Regulations, 1948, and other words and expressions have the same meaning as in the regulations.

Incorporation of provisions of regulations etc.

2. Any provisions of the regulations and Part II of the National Health Service (Service Committees and Tribunal) Regulations, 1948(b), affecting the rights and obligations of practitioners shall be deemed to form part of these terms of service.

Standard of service.

3.—(1) In providing general dental services under the regulations a practitioner shall employ a proper degree of skill and attention and shall, subject to the provisions of paragraph 8 hereof, provide the treatment necessary to secure dental fitness that the person concerned is willing to undergo, and shall satisfactorily complete that treatment.

(2) A practitioner shall provide proper and sufficient surgery and waiting-room accommodation for persons to whom he is providing general dental services.

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

Inspection of surgery and waiting room accommodation.

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

Visiting.

(5) A practitioner shall visit and treat a person for whom he has undertaken to provide general dental services whose condition so requires at any place where that person may be at the time, within five miles of his surgery.

Anaesthetics.

(6) A practitioner shall be responsible for providing the services of a medical or dental practitioner when necessary for the administration of an anaesthetic in connection with any operation undertaken by him under these terms of service.

Reference to another practitioner or hospital or specialist services.

4. If the condition of a person requiring general dental services is such as to require treatment which the practitioner is unable to carry out, but such treatment to the knowledge of the practitioner can be provided by another practitioner whose name appears on any dental list, or is available as part of the hospital and specialist services provided under Part II of the Act, the practitioner shall inform the said person of the fact and if the person so wishes, the practitioner shall take all necessary steps to enable him to receive such treatment. When referring a person to another practitioner or to the hospital and specialist services, the practitioner shall give adequate particulars in writing either beforehand or as soon as possible afterwards.

Records.

5. In each case in which a practitioner provides treatment under the regulations, he shall keep a record in the form set out in Part IV of the fourth schedule thereto, to be provided by the Council or in a form substantially to the like effect, and shall if required to do so produce such records to the Board, the Council, or a dental officer.

Fees.

6.—(1) A practitioner shall be entitled to be paid such fees and other remuneration in respect of any treatment which he is required to give

(a) 9 & 10 Geo. 6. c. 67. (b) S.I. 1948 No. 507, p. 2205 below.

under these terms of service as the Minister may from time to time determine by regulations made under section 40 of the Act.

(2) Except as otherwise provided in the regulations, a practitioner shall not suggest, demand or accept from any person for whom he is providing general dental services or from any other person the payment of any fee or remuneration in respect of any treatment which he is required to give under these terms of service:

Provided that nothing in this sub-paragraph shall deprive the practitioner of any right to recover a reasonable charge from any person in respect of loss of remunerative time resulting from the failure of that person without sufficient excuse to keep an appointment.

Preparation and submission of estimates.

7.—(1) In accepting an application for treatment, the practitioner shall—

(*a*) complete Part 6 of the dental estimate form and after detaching it, give it to the applicant;

(*b*) examine the applicant and complete Part 7 of the form;

(*c*) set out in column 1 of Part 8 of the form the whole of the treatment necessary in his opinion to render the person dentally fit and, if the person is not willing to undergo the whole of such treatment, in column II of that Part particulars of such part of that treatment as the person is willing to undergo.

(2) Where the extent of the treatment which the person is willing to undergo is not beyond that specified in column A of the second schedule to the regulations, the practitioner may proceed with and complete the treatment before sending the dental estimate form to the Board for approval.

(3) Where the treatment which the person is willing to undergo includes treatment in column B of the second schedule, the practitioner shall as soon as may be, and in any case within ten days after making his examination, send the dental estimate form to the Board for approval, and shall not proceed with any treatment other than treatment specified in column A of the said schedule or such emergency treatment as is referred to in the footnote to the schedule, until such approval is received.

(4) (*a*) If during the course of treatment in respect of which prior approval of an estimate is not required any variation or addition such as would have made the treatment subject to prior approval is found to be necessary, the practitioner shall immediately notify the Board in writing of the circumstances and shall as soon as reasonably practicable submit an estimate of the whole of the treatment necessary (including that which has been begun) and thereafter the provisions of the last preceding sub-paragraph shall apply to such part of the treatment as has not been commenced.

(*b*) If during the course of treatment in respect of which prior approval of an estimate is required any variation or addition is found to be necessary, the practitioner shall without delay submit an additional estimate and any such estimate shall be subject to the provisions of sub-paragraph (3) of this paragraph.

(5) A practitioner shall complete treatment with reasonable expedition and shall—

(*a*) in the case of treatment to which sub-paragraph (2) of this paragraph applies, not take longer than six months from the date upon which the person is accepted by him for treatment;

(*b*) in other cases not take longer than six months, or in the case of treatment including extractions and the provision of dentures twelve months, from the date on which the approval of an estimate is received by him:

Provided that these time limits shall not apply when any delay is due to failure on the part of the person concerned to attend for treatment or where the Board is satisfied that there is other sufficient reason.

(6) Upon completing treatment for a person a practitioner shall give a certificate to that effect in Part 5 of the dental estimate form and shall obtain in Part 4 of that form a certificate from the person concerned that treatment has been completed to the best of his belief. Treatment in so far as it relates to dentures shall not be regarded as complete unless the dentures have been delivered to and remain in the possession of the person concerned. The practitioner shall within one month of the completion of the treatment send to the Board the dental estimate form.

Inability or unwillingness of practitioner to complete treatment.

8.—(1) If owing to any cause beyond the control of the practitioner, a practitioner is unable to complete any treatment which has been commenced, he shall forthwith notify the Board in writing of the amount of treatment completed, and of the reason for his inability to complete the remainder, and shall be entitled to such payment as may be approved by the Board in respect of such treatment as has already been provided.

(2) The Council may, on the application of a practitioner, authorise him on such terms as they think just to discontinue any treatment which he has commenced, but before doing so they shall consider any representations which the patient may wish to make with respect to the application. If the application is granted the patient and the Board shall be so informed and the practitioner shall be entitled to such payment as may be approved by the Board in respect of such treatment as has already been provided.

Supply of drugs.

9.—(1) A practitioner may supply to a person for whom he is providing general dental services such drugs (being drugs specified in the third schedule to the regulations) as are required for immediate administration or application or for use before a supply can be obtained under the next following paragraph;

(2) A practitioner may supply any other drug which is administered by him in person;

(3) A practitioner shall supply all requisite drugs which under regulation 5 of the regulations he is required by the Council to supply.

Duty to prescribe.

10. A practitioner shall order, on a form to be provided by the Council for the purpose, such drugs specified in the third schedule to the regulations (other than those supplied under the preceding paragraph) as are requisite for the treatment of any person for whom he is providing general dental services. The order shall be signed by the practitioner or by his deputy or assistant with his own hand and shall not be written in such a manner as to necessitate reference on the part of the person supplying the drugs to a previous order.

The form shall not be used for persons other than those for whom the practitioner is providing general dental services and a separate form shall be used for each person.

Deputies, assistants and partners.

11.—(1) If a practitioner intends to absent himself from his practice for more than twenty-one consecutive days, he shall notify either the Council or the persons for whom he is providing general dental services of his intended absence and of the practitioner or practitioners, if any, responsible for conducting his practice. If a practitioner intends to absent himself from his practice for more than two months, he shall inform the Council.

(2) A practitioner shall not employ an assistant practitioner for the purpose of the provision of general dental services for a continuous period of three months or more without notifying the Council.

(3) A practitioner shall not without the consent of the Minister employ as a deputy or assistant for the purpose of the provision of general dental services any practitioner who is disqualified for inclusion in the dental list of a Council under section 42 of the Act.

(4) A practitioner acting as deputy shall be entitled to provide treatment at places or at times other than those arranged by the practitioner for whom he is acting, due regard being had to the convenience of the persons for whom the treatment is provided.

(5) A practitioner shall be responsible for all acts and omissions of any practitioner acting as his deputy or assistant.

(6) A deputy or assistant (other than a partner or assistant whose name is included in the dental list) shall, in addition to signing with his own name any dental estimate form or prescription, insert therein the name of the practitioner for whom he is acting as deputy or assistant.

(7) In the case of two or more practitioners practising in partnership or as principal and assistant, treatment may at any time be given by a partner or assistant of the practitioner to whom a person has applied for general dental services, instead of by the practitioner in person, but the practitioner shall take reasonable steps to secure continuity of treatment.

Revision of terms of service.

12.—(1) The Council may, subject to the approval of the Minister, alter the terms of service as from such date as the Minister may approve by giving notice of the proposed alteration to each practitioner.

(2) Except in the case of an alteration which results from the coming into operation of any Act of Parliament or from an amendment of any regulation, the Council shall before making an alteration consult with the Local Dental Committee and the alteration shall not come into operation within a period of three months from the date of the issue of the notice.

Withdrawal from dental list.

13. A practitioner 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 three months from the date of such notice or of such shorter period as the Council may agree:

Provided that—

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

(*b*) Where any treatment has been commenced the practitioner shall make satisfactory arrangements for the treatment to be completed.

Disputes, appeals, etc.

14. The terms of service relating to the following matters are contained in Part II of the National Health Service (Service Committees and Tribunal) Regulations, 1948:—

(*a*) the investigation of questions arising between practitioners and persons for whom they are providing general dental services, and the action which may be taken by the Council as a result of such investigations including the withholding of remuneration from a practitioner where there has been a breach of the terms of service.

(*b*) appeals to the Minister from decisions of the Council and the Board.

(*c*) the investigation of record keeping.

Issue of notices to practitioners.

15. Any notice which a Council is required or authorised by these terms of service to give to a practitioner shall be sufficiently given if it has been delivered to the practitioner or sent by post to him at the address which the practitioner last notified the Council as being his address.

PART II

TERMS OF SERVICE FOR DENTAL PRACTITIONERS UNDERTAKING TO PROVIDE GENERAL DENTAL SERVICES AT A HEALTH CENTRE

Interpretation.

1. In these terms of service, except so far as the context otherwise requires, the expression " the regulations " means the National Health Service (General Dental Services) Regulations, 1948, and other words and expressions have the same meaning as in the regulations.

Incorporation of provisions of regulations, etc.

2. Any provisions of the regulations and Part II of the National Health Service (Service Committees and Tribunal) Regulations, 1948, affecting the rights and obligations of practitioners shall so far as they are applicable be deemed to form part of these terms of service.

Attendance.

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

(2) The practitioner shall not, without the permission of the Council, be entitled to provide at the health centre any dental treatment other than general dental services provided under the regulations.

Standard of service.

4. In providing general dental services a practitioner shall employ a proper degree of skill and attention and shall provide the treatment necessary to secure dental fitness which the person concerned is willing to undergo and shall, subject to the provisions of paragraph 13 hereof, satisfactorily complete that treatment.

Acceptance of applicant for treatment.

5. On accepting an application for treatment the practitioner shall request the applicant to sign such form as may be provided by the Council for the purpose.

Admission of dental officers.

6. A practitioner shall admit a dental officer at all reasonable times to any surgery or waiting room used by the practitioner at the health centre for the purpose of examining the services provided.

Visiting.

7. A practitioner who has undertaken to provide general dental services for any person shall if that person's condition so requires visit and treat him at any place where he may be at the time: Provided that such place is not more distant than five miles, or such other distance as may be agreed by the Council and the practitioner, from the health centre.

Anaesthetics.

8. A practitioner shall be responsible for providing the services of either a medical or dental practitioner when necessary for the administration of an anaesthetic in connection with any operation undertaken by him under these terms of service.

Reference to another practitioner or hospital or specialist services.

9. If the condition of a person requiring general dental services is such as to require treatment which the practitioner is unable to carry out but such treatment to the knowledge of the practitioner can be provided by another practitioner whose name appears on any dental list, or is available as part of the hospital and specialist services provided under Part II of the Act, the practitioner shall inform the said person of the fact and if the person so wishes the practitioner shall take all necessary steps to enable him to receive such treatment. When referring a person to another practitioner or to the hospital and specialist services the practitioner shall give adequate particulars in writing either beforehand or as soon as possible afterwards.

Records.

10. In each case in which a practitioner provides treatment under the regulations, he shall keep a record in a form to be provided by the Council for the purpose. The record shall be the property of the Council and shall be made available for inspection to the dental officer at all reasonable times. The practitioner shall also supply to the dental officer such information with regard to the treatment of patients as he may request.

Fees.

11.—(1) A practitioner shall be entitled to be paid such remuneration in respect of his obligations under these terms of service as the Minister may from time to time determine by regulations made under section 40 of the Act.

(2) Except as otherwise provided in the regulations a practitioner shall not suggest, demand or accept from any person for whom he is providing general dental services or from any other person the payment of any fee or remuneration in respect of any dental treatment which he is required to give under these terms of service. The practitioner shall account for and pay over to the Council, in such manner as they may require, any fees received by him in respect of dental treatment falling within the provisions of Part V of the regulations.

Consultation with dental officer.

12. Where a practitioner proposes to provide a service of a kind specified in regulation 21 of the regulations solely on account of the clinical condition of the person concerned and not at his request the practitioner shall give notice of the proposal to the dental officer on a form to be provided by the Council and shall not proceed with any such treatment other than emergency treatment until the dental officer's approval has been received.

Treatment not completed.

13. If owing to any cause beyond the control of the practitioner he is unable to complete any treatment, he shall forthwith notify the dental officer in writing of the amount of treatment completed, and of the reason for his inability to complete the remainder, and if the treatment is given under Part V of the regulations, he shall be entitled to claim from the person concerned such fees based on the appropriate scale as may be approved by the dental officer in respect of such treatment as has already been provided.

Completion of treatment.

14. A practitioner shall complete treatment with reasonable expedition and shall—

(*a*) in the case of treatment which is referred to in column A of the second schedule to the regulations, not take longer than six months from the date upon which the person is accepted by him for treatment;

(*b*) in other cases not take longer than six months or in the case of treatment including extractions and the provision of dentures twelve months from the date on which the person is accepted by him for treatment:

Provided that these time limits shall not apply when any delay is due to failure on the part of the person concerned to attend for treatment or where the dental officer is satisfied that there is other sufficient reason for the delay.

Supply of drugs.

15.—(1) A practitioner may supply to a person for whom he is providing general dental services such drugs (being drugs specified in the third schedule to the regulations) as are required for immediate administration or application or for use before a supply can be obtained otherwise under the regulations.

(2) A practitioner may supply any other drug which is administered by him in person.

(3) Any drug supplied under this paragraph shall be obtained by the practitioner in such manner as the Council may require.

Duty to prescribe.

16. A practitioner shall order, on a form to be provided by the Council for the purpose, such drugs specified in the third schedule to the regulations (other than those supplied under the last preceding paragraph), as are requisite for the treatment of any person for whom he is providing general dental services. The order shall be signed by the practitioner with his own hand and shall not be written in such a manner as to necessitate reference on the part of the person supplying the drugs to a previous order. A separate form shall be used for each person.

Termination of service.

17.—(1) Any arrangement between a Council and a practitioner for the provision of general dental services at a health centre may be terminated by either party giving to the other 3 months notice in writing:

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

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

Revision of terms of service.

18. The Council may, with the approval of the Minister, by notice given to each practitioner at a health centre, alter the terms of service as from such date as may be specified in the notice:

Provided that such date shall not, except in the case of an alteration which results from the coming into operation of an Act of Parliament or from an amendment of any regulation, be less than 3 months from the giving of such notice.

Withdrawal or removal from dental list.

19. A practitioner 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 three 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 practitioner in the dental list would be prejudicial to the efficiency of the general dental services, he shall not, except with the consent of the Minister and subject to such conditions if any as the Minister may impose, be entitled to have his name removed from the list pending the termination of the proceedings on such representations.

Disputes, appeals, etc.

20. The terms of service relating to the following matters are contained in Part II of the National Health Service (Service Committees and Tribunal) Regulations, 1948:—

(*a*) the investigation of questions arising between practitioners and persons for whom they are providing general dental services, and the action which may be taken by the Council as the result of such investigations including the withholding of remuneration from a practitioner where there has been a breach of the terms of service.

(*b*) appeals to the Minister from decisions of the Council.

Issue of notices to practitioners.

21. Any notice which a Council is required or authorised by these terms of service to give to a practitioner shall be sufficiently given if it has been delivered to the practitioner or sent by post to him at the address which he has last notified the Council as being his address.

SECOND SCHEDULE

Treatment	A. Treatment which may be completed without obtaining the prior approval of the Dental Estimates Board	B. Treatment for which the prior approval of the Dental Estimates Board is required
I. Diagnosis ...	1. Clinical examination and report. 2. Tentative treatment, dressings, etc. 3. Radiological examination at a cost not exceeding £2 2s. od. 4. Pathological and bacteriological examinations.	Radiological examination at a cost exceeding £2 2s. od.
II. Prophylaxis ...	Normal scaling and gum treatment.	1. Extensive or prolonged gum treatment including scaling. 2. Gingivectomy.
III. Conservative Treatment.	1. Fillings. 2. Root treatment.	1. Gold fillings.* 2. Inlays.* 3. Crowns.* 4. Apicectomy.
IV. Extractions ...	Extractions not necessitating the supply of dentures.	1. Extractions necessitating the supply of dentures.† 2. Alveolectomy.
V. General Anaesthesia.	All forms.	—
VI. Emergency Treatment.	Treatment for the immediate relief of pain or other urgent symptoms.	—
VII. Repair of Dentures.	Normal repairs.	Repairs under regulation 21 of the regulations.
VIII. Prosthetic Treatment.	—	1. Dentures of plastic. 2. Dentures of vulcanite. 3. Dentures of gold or other metal.* 4. Backing and tagging. 5. Obturators. 6. Special appliances, radium applicators, splints, etc.
IX. Orthodontic Treatment.	—	All forms.
X. Oral Surgery	—	1. Removal of impacted teeth, buried roots, cysts, etc.† 2. Treatment of fractured jaws.†

* This service only to be provided free of cost to a person when it is, in the opinion of the Dental Estimate Board, required owing to the clinical condition of the person concerned.

† This service, if emergency treatment, may be commenced without prior approval.

THIRD SCHEDULE

List of Prescribed Drugs

Drugs

Acidum Acetylsalicylicum
" Benzoicum
" Boricum
" Tannici
Alumen
Aqua Chloroformi
" Menthae Piperitae
Borax
Caffeina
Calcii Lactas
Emulsio Chloroformi
" Olei Menthae Piperitae
Glycerinum Acidi Tannici
" Thymolis Compositum
Hydrargyri Subchloridum
Liquor Azorubri
" Formaldehydi
" Hydrogenii Peroxidi
" Iodi Mitis
" Sodae Chlorinatae Chirurgicalis
Magnesii Sulphas
Mistura Magnesii Hydroxidi
Oleum Caryophylli
Phenacetinum
Phenol
Potassii Chloras
" Permanganas
Quininae Sulphas
Sodii Bicarbonas
" Chloridum
" Perboras
" Sulphis
Tinctura Pyrethri
Zinci Chloridum
" Sulphas

Compounded drugs

Cataplasma—Poultice

Cataplasma Kaolini B.P.

Collutoria—Mouthwashes

Collutorium Acidi Tannici, N. [W.]F.
" Formaldehydi, N. [W.]F.
" Phenolis Alkalinum, N.[W.]F.
" Sodii Chloridi Compositum, N.[W.]F.
" Thymolis Compositum, N.[W.]F.
" Zinci Sulphatis et Chloridi, N.[W.]F.

Pigmentum—Paint

Pigmentum Arsenicale et Ipecacuanhae, N.[W.]F.

Solvellae—Solution Tablets

Solvella Antisceptica Effervescens, B.P.C.
" Boracis et Benzaminae Composita, B.P.C.

Tabellae—Tablets

Tabella Acidi Acetylsalicylici, B.P.
" Acidi Acetylsalicylici Composita, B.P.C.
" Acidi Acetylsalicylici et Quininae Composita, N.[W.]F.
" Acidi Ascorbici, B.P. 50 mg.
" Acidi Nicotinici, B.P. 50 mg.
" Butobarbitoni, 1½ gr. N.[W.]F.
" Calciferolis Composita, B.P.C.
" Calcii Lactatis, B.P.
" Codeinae Composita, B.P.C.
" Nicotinamidae, B.P.
" Phenobarbitoni, B.P. 1/4, 1/2, 1 and 2 gr.
" Sulphathiazolis

Trochisci—Lozenges

Trochiscus Formaldehydi, (Tabella Formaldehydi, B.P.C.)
" Penicillini, B.P.

FOURTH SCHEDULE

FORMS

PART I

FORM OF APPLICATION FOR INCLUSION IN DENTAL LIST

To the Executive Council for.....

I,..... of ..... a registered dental practitioner undertake to provide general dental services under the National Health Service Act, 1946, on the terms in operation in the area of the Council and apply to have my name included in the dental list.

Particulars of my usual surgery hours are given below.

Address of Surgery and/or Health Centre	*Days and hours of attendance*	
	Days	*Hours*
(Surgery).....	.....	.....
.....	.....	.....
.....	.....	.....
(Health Centre)	.....	.....
.....	.....	.....
.....	.....	.....

To be completed where appropriate.

I am practising in partnership with.....
of .....

I am acting as an assistant to.....
of .....

Signed .....

Date.....

PART II

Front of Form

NATIONAL HEALTH SERVICE—DENTAL ESTIMATE FORM

A	PATIENT'S SURNAME (Mr., Mrs., Miss) (Block Letters)
CHRISTIAN NAMES	
ADDRESS	
NAT. REG. IDENTITY No.	YEAR OF BIRTH

B	DENTIST'S NAME & ADDRESS AT WHICH TREATMENT IS TO BE GIVEN (Rubber Stamp or Block Letters)
DENTIST'S E.C. LIST No.	

PART 1
To be completed by THE PATIENT

I desire treatment under the National Health Service.

Signed*..... Date.....

PART 2
To THE DENTAL ESTIMATES BOARD

I have examined this patient and have entered in Part 7 the clinical conditions and in Part 8 details of the treatment which I consider necessary to secure dental fitness.

Signed..... Date.....

PART 3 To THE DENTIST

Dental treatment as detailed in Part 8 is authorised.....

.....

.....

For Official Use

PART 4 To be completed by THE PATIENT

I certify that to the best of my belief treatment has been completed

Signed*..... Date.....

PART 5 To be completed by THE DENTIST

I certify that treatment as shown in Part 8 has been completed and I claim fees amounting to £ : : .

Signed..... Date.....

* In the case of a child or an invalid, the parent, guardian or other authorised person should sign for the patient.

PART 6 To be signed by the Dentist and RETAINED BY THE PATIENT

DENTIST'S E.C. LIST No.	

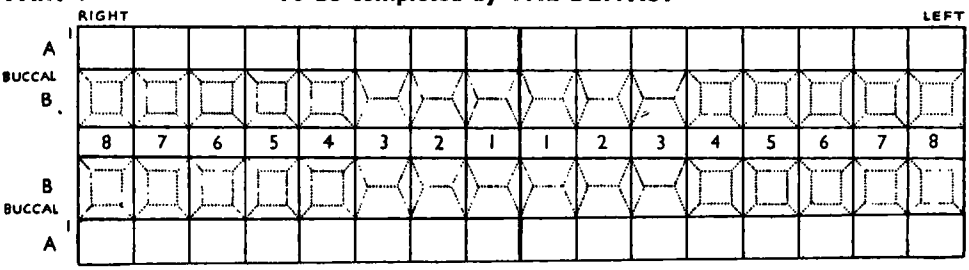
I am prepared to accept Mr./Mrs./Miss.....as a patient under the National Health Service for treatment as detailed by me on.....19.....

Signed.....

PART II—*continued*

Back of Form

PART 7 **To be completed by THE DENTIST**



PART 8

Details of Treatment and Fees

Column I	£	s.	d.	Column II	£	s.	d.
Examination and Report.....				.....			
X-Ray and Report.....				.....			
Scaling and Treatment of Gums.....				.....			
Fillings.....				.....			
Root Treatment.....				.....			
Extractions.....				.....			
General Anaesthetic.....				.....			
Crowns.....				.....			
Dentures.....				.....			
Denture Repairs:							
Other forms of Treatment:							

PART 9

Observations

The Patient is/is not in possession of dentures

PART 10

Date of Examination.....

Date Treatment completed.....

No. and Nature of enclosures.....

.....

Signed..... Date..... DENTIST'S E.C. LIST No.....

PART III

NATIONAL HEALTH SERVICE

SPECIAL TREATMENT AND APPLIANCES INVOLVING PAYMENT BY THE PATIENT

This form is to be completed in addition to and submitted with the Dental Estimate Form in respect of any more expensive form of treatment or appliance to be provided at the request of the patient.

In the appropriate space below ENTER ONLY THE AMOUNT PRESCRIBED TO BE PAID BY THE PATIENT.

Patient's Name	Dentist's Name
Nat. Reg. Identity No.	Dentist's E.C. List No.

DETAILS OF TREATMENT AND ADDITIONAL CHARGES

	£	s.	d.
Fillings			
Dentures			
Other Treatment.....			
.....			

TO BE SIGNED BY THE PATIENT*

I desire the treatment as detailed above and understand that I am responsible for payment to the dentist of the charges set out above or such other charges as may be approved by the Dental Estimate Board.

Signed..... Date.....

* In the case of a child or invalid, the parent, guardian or other authorised person should sign for the patient.

PART IV

3700

DENTAL RECORD—NATIONAL HEALTH SERVICE

SURNAME.....

CHRISTIAN NAME.....

ADDRESS.....

.....

NATIONAL REGISTRATION IDENTITY NUMBER.....

YEAR OF BIRTH.....

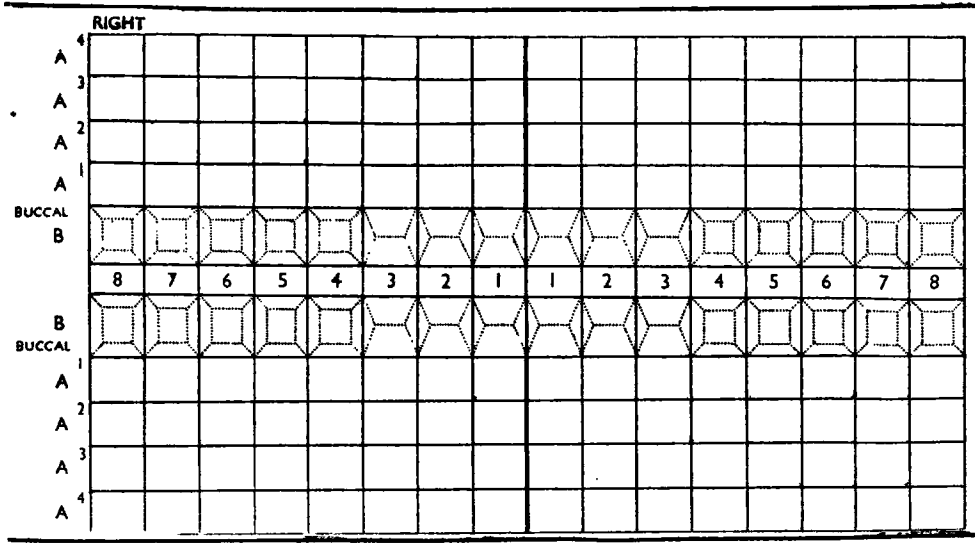
Telephone No.....

DATE	TREATMENT	DATE	TREATMENT	DATE	TREATMENT

R* (To be used if desired)

DENTIST'S NAME.....

DENTIST'S EXECUTIVE COUNCIL NO.....



SYMBOLS

Tooth present and sound ... ... •
Tooth missing ... ... —
Tooth recently extracted ... ... ×
Root present ... ... +
Cavity ... ... O
Filling present ... ... ●
Artificial tooth ... ... A
Crown C
Indicating direction and extent of movement of tooth ⟶

Line A. should show treatment required.

CLINICAL NOTES.

Summary of Estimates, 19.....to 19..... (For use if desired)

	Date of Examination	Date Sent for Approval	Date Approved	Date Completed	Ex. and Report	Scale and Polish	Fillings	Root Treatment	Extractions	General Anaes	Crowns	Dentures	Repairs	Other Forms of Treatment	£	s.	d.	Date Paid
A¹																		
A²																		
A³																		
A⁴																		

Given under the official seal of the Minister of Health this twelfth day of March, nineteen hundred and forty-eight.

(L.S.) *Aneurin Bevan,*
Minister of Health

EXPLANATORY NOTE

(*This Note is not part of the Regulations, but is intended to indicate their general purport.*)

The regulations provide for the arrangements which Executive Councils are required to make under Part IV of the National Health Service Act, 1946, for the provision of general dental services. The regulations also provide for the constitution of the Dental Estimates Board for the purpose of approving dental estimates.

The National Health Service (General Dental Services) Fees Regulations, 1948

1948 No. 1297

Made - - - -	*17th June,* 1948
Laid before Parliament	*17th June,* 1948
Coming into Operation	*5th July,* 1948

108107.

The Minister of Health, in exercise of the powers conferred upon him by sections 40 and 44 of the National Health Service Act, 1946, and of all other powers enabling him in that behalf hereby makes the following regulations:— 9 & 10 Geo. 6. c. 81.

PART I

General

1.—(1) These regulations may be cited as the National Health Service (General Dental Services) Fees Regulations, 1948, and shall come into operation on the fifth day of July, 1948.

(2) The National Health Service (General Dental Services) Regulations, 1948(a) (hereinafter referred to as the principal regulations), and these regulations may be cited together as the National Health Service (General Dental Services and Fees) Regulations, 1948.

2.—(1) Expressions used in these regulations shall, except so far as the context otherwise requires, have the same respective meaning as in the principal regulations.

(2) The Interpretation Act, 1889, applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament. 52 & 53 Vict. c. 63.

(a) S.I. 1948 No. 505, p. 2107 above.