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STATUTORY INSTRUMENTS

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**1997 No. 1177**

**The Health Services (Primary Care)  
(Northern Ireland) Order 1997**

**PART III**

**PRIMARY CARE**

*Personal medical or dental services*

**Charges for dental treatment**

**26.** In Schedule 15 to the 1972 Order, after paragraph 1 A insert—

“**1AA.**—(1) Regulations made with the approval of the Department of Finance and Personnel may provide for the making and recovery, in such manner as may be prescribed, of charges for dental treatment provided in accordance with Article 15B arrangements.

(2) “Dental treatment” means personal dental services other than those to which paragraph 1 (a)(k) applies.

(3) The regulations must secure that the amount charged for a particular treatment (or course of treatment) is the same as the amount that would be charged for that treatment (or course of treatment) if it were provided under Part VI.

(4) The regulations may—

- (a) provide for the amount or the maximum amount of any charge authorised by the regulations to be varied in prescribed circumstances; or
- (b) give power to direct that the charge is not to be payable.

(5) If, under a contract or arrangement, a patient receives—

- (a) services for which a charge is payable under paragraph 1(a)(k), and
- (b) treatment for which a charge is payable under the regulations,

the total charge for those services and that treatment is not to exceed such sum as may be prescribed.

(6) No charge is to be made under the regulations in respect of treatment provided for any person who, at the time of the making of the contract or arrangement under which the treatment is provided—

- (a) was under 18;
- (b) was under 19 and receiving qualifying full-time education;
- (c) was pregnant; or
- (d) had given birth within the previous twelve months.

(7) In sub-paragraph (6)(b) “qualifying full-time education” has the same meaning as in paragraph 2A(3).

(8) The regulations may provide, with respect to any exemption under sub-paragraph (6), that it is to be a condition of the exemption that—

- (a) a declaration of the prescribed kind is made in the prescribed form or manner; or
- (b) a certificate of the prescribed kind is supplied in the prescribed form or manner.”.