

### SCHEDULE 3

Regulation 9(1)

#### MANNER OF DETERMINING CHARGE FOR REPLACEMENT

1. Where the Board, on considering an estimate submitted for the approval of a free replacement of a dental appliance supplied as part of general dental services, considers that there are grounds for believing that the replacement is necessitated by such an act or omission as is referred to in regulation 9(1), it may refer the matter to the Health Board for investigation.

2. The Health Board shall make such inquiry into any matter referred to it under paragraph 1 or, in the case of services provided under a pilot scheme, any such matter coming to its attention as it thinks fit and if either—

- (a) in its opinion the circumstances so require; or
- (b) the person supplied or (if he is under 16 years of age) the person in charge of the person supplied so requires,

the inquiry shall take the form of an oral hearing by a sub committee of the Health Board appointed for the purpose which shall report to the Health Board on the matter.

3. The Health Board, having considered any report made by its sub-committee under paragraph 2—

- (a) shall determine whether the replacement is necessitated by an act or omission on the part of the person supplied or (if the act or omission occurred when the person supplied was under 16 years of age) of the person supplied or of the person having charge of the person supplied when the act or omission occurred; and
- (b) if it is so necessitated, shall determine in accordance with regulation 9(2) and (3), the amount of the charge to be made and recovered.

4. The Health Board shall communicate its determination to—

- (a) the relevant person (within the meaning of regulation 9(4));
- (b) the dental practitioner replacing the appliance; and
- (c) the Board.