

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Health Services Act 1980, SCHEDULE 5. (See end of Document for details)

SCHEDULES

^{X1}SCHEDULE 5

Section 25(2).

AMENDMENTS OF THE ACT OF 1977 AND THE SCOTTISH ACT OF 1978 RELATING TO EXEMPTIONS FROM CHARGES FOR CERTAIN SERVICES AND APPLIANCES

Editorial Information

- X1** The text of Schedule 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

PART I

AMENDMENTS OF THE ACT OF 1977

Exemption from charges for appliances

- 1 In paragraph 1(1)(c) of Schedule 12 to the Act of 1977, for the words “or is undergoing full-time education in a school, or”, there shall be substituted the words “or is under 19 years of age and receiving qualifying full-time education, or”.

Exemption from charges for dental or optical appliances

- 2 (1) Paragraph 2 of the said Schedule 12 shall be amended as provided in this paragraph.
 - (2) ^{F1}
 - (3) For sub-paragraph (4)(a), there shall be substituted,—
 - “(a) was under 16 years of age or was under 19 years of age and receiving qualifying full-time education; or”.
 - (4) ^{F1}
 - (5) In sub-paragraph (8), after the word “replacement”, where it first occurs, there shall be inserted the words “and, in the case of dentures, to their being relined or adjusted or having additions made to them,”.

Textual Amendments

- F1** Sch. 5 paras. 2(2)(4), 6(2)(4) repealed by [Health and Social Security Act 1984 \(c. 48, SIF 113:1\)](#), s. 24, [Sch. 8 Pt. I](#)

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Exemptions from charges for dental treatment

- 3 (1) Paragraph 3 of the said Schedule 12 shall be amended as provided in this paragraph.
- (2) In sub-paragraph (4), for the words from “(a) was under 21 years” to “in a school”, there shall be substituted—
 - “(a) was under 18 years of age or was under 19 years of age and receiving qualifying full-time education, or”;
 and the words from “if” to the end shall be omitted.
- (3) In sub-paragraph (5), for the words from “under section 79(1)” to “to a denture” there shall be substituted the words “made with respect to any exemption under sub-paragraph (4) above”.

Interpretation

- 4 For paragraph 7 of the said Schedule 12, there shall be substituted the following paragraph—
 - “7 References in this Schedule to qualifying full-time education mean full-time instruction at a recognised educational establishment or by other means accepted as comparable by the Secretary of State, and for the purposes of such references—
 - (a) “recognised educational establishment” means an establishment recognised by the Secretary of State as being, or as comparable to, a school, college or university; and
 - (b) regulations may prescribe the circumstances in which a person is or is not to be treated as receiving full-time instruction.”

PART II

AMENDMENTS OF THE SCOTTISH ACT OF 1978

Exemption from charges for appliances

- 5 In paragraph 1(1)(c) of Schedule 11 to the Scottish Act of 1978, for the words “or is undergoing full-time education in a school, or”, there shall be substituted the words “or is under 19 years of age and receiving qualifying full-time education, or”.

Exemption from charges for dental or optical appliances

- 6 (1) Paragraph 2 of the said Schedule shall be amended as provided in this paragraph.
- (2) F2
- (3) For sub-paragraph (4)(a), there shall be substituted,—
 - “(a) was under 16 years of age or was under 19 years of age and receiving qualifying full-time education; or”.
- (4) F2

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- (5) In sub-paragraph (8), after the word “replacement”, where it first occurs, there shall be inserted the words “ and, in the case of dentures, to their being relined or adjusted or having additions made to them, ”.

Textual Amendments

- F2** Sch. 5 paras. 2(2)(4), 6(2)(4) repealed by [Health and Social Security Act 1984 \(c. 48, SIF 113:1\)](#), s. 24, [Sch. 8 Pt. I](#)

Exemptions from charges for dental treatment

- 7 (1) Paragraph 3 of the said Schedule 11 shall be amended as provided in this paragraph.
- (2) In sub-paragraph (4), for the words from “(a) was under 21 years” to “in a school”, there shall be substituted—
- “(a) was under 18 years of age or was under 19 years of age and receiving qualifying full-time education, or”;
- and the words from “if” to the end shall be omitted.
- (3) In sub-paragraph (5), for the words from “under section 71(1)” to “to a denture” there shall be substituted the words “ made with respect to any exemption under sub-paragraph (4) ”.

Interpretation

- 8 After paragraph 6 of the said Schedule 11, there shall be inserted the following paragraph—
- “7 References in this Schedule to qualifying full-time education mean full-time instruction at a recognised educational establishment or by other means accepted as comparable by the Secretary of State, and for the purposes of such references—
- (a) “recognised educational establishment” means an establishment recognised by the Secretary of State as being, or as comparable to, a school, college or university; and
- (b) regulations may prescribe the circumstances in which a person is or is not to be treated as receiving full-time instruction.”

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