
STATUTORY INSTRUMENTS

1972 No. 1265

Health and Personal Social Services (Northern Ireland) Order 1972

PART II

MAIN FUNCTIONS OF THE MINISTRY

Medical and dental inspection, etc., of school children and young persons

9.—(1) Subject to paragraph (4), the Ministry shall provide for the medical^{F1} . . . inspection, at appropriate intervals, and for the medical^{F1} . . . supervision of persons—

- (a) in full-time attendance at any grant-aided school or for whom special arrangements have been made^{F2} under^{F3} Article 86 of the Education (Northern Ireland) Order 1998] or Article 10(1)(b) of the Education (Northern Ireland) Order 1996];

Sub-para. (b) rep. by 1987 NI 2

[^{F1}(1A) Subject to paragraph (4), the Department shall provide, to such extent as it considers necessary to meet all reasonable requirements—

- (a) for the dental inspection of such persons as are mentioned in paragraph (1);
(b) for the dental supervision of such persons; and
(c) for the education of such persons in dental health.]

(2) For the purpose of securing the proper medical and dental inspection of persons such as are mentioned in paragraph (1)(a) the Ministry may require the parents of any such persons to submit the persons for medical or dental inspection in accordance with arrangements made by the Ministry, and any parent who fails without reasonable excuse to comply with any such requirement shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding^{F4} £50].

(3) Subject to paragraph (4), the Ministry shall make such arrangements as are necessary for securing that there are available for persons such as are mentioned in paragraph (1) comprehensive facilities for medical and dental treatment.

(4) [^{F1}Paragraphs (1), (1A)] and (3) shall not apply in the case of persons in attendance at any voluntary grammar school the managers of which have, by means of a scheme framed by them and approved by the Ministry, made provision for the medical and dental inspection, supervision and treatment of persons in attendance at that school^{F1} and for the education of such persons in dental health].

(5) The managers of a voluntary grammar school to which paragraph (4) applies shall keep such records, and shall make such returns, as the Ministry may prescribe or direct.

(6) In any case where the managers of a voluntary grammar school^{F1} make, by means of a scheme approved by the Department, such provision as is mentioned in paragraph (4), then, in respect of each person for whom any service is provided under such provision,] the Ministry shall pay to the managers such sum as it may determine.

Changes to legislation: *Health and Personal Social Services (Northern Ireland) Order 1972, Section 9 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(7) The Ministry may, with the consent of the proprietor of any independent school, and on such financial and other terms (if any) as may be agreed between the Ministry and the proprietor of the school, make arrangements for the provision of medical and dental inspection, supervision and treatment of persons in attendance at the school^{F1} and for the education of such persons in dental health]; so however that any such arrangements shall be such as to secure, so far as is practicable, that the expense incurred by the Ministry in connection with the provision under the arrangements of any service shall not exceed the expense which would have been incurred by it in the provision thereof if the persons had been persons in attendance at a grant-aided school.

(8) In this Article—

“dental inspection” and “dental supervision” mean, respectively, inspection and supervision by a dental practitioner;

“dental treatment” includes prevention and treatment of dental disease by or (so far as permitted by law) under the direction of a dental practitioner and the supply of appliances on the recommendation of such practitioner, but does not, in relation to any person other than a person for whom special arrangements have been made^{F2} as mentioned in paragraph (1)(a)]^{F5}. . . , include treatment in that person's home;

“medical inspection” and “medical supervision” mean, respectively, inspection and supervision by or under the direction of a medical practitioner;

“medical treatment” includes prevention and treatment of disease by a medical practitioner, and the supply of appliances on the recommendation of such practitioner, but does not, in relation to any person other than a person for whom special arrangements have been made^{F2} as mentioned in paragraph (1)(a)]^{F5}. . . , include treatment in that person's home.

F1	1988 NI 24
F2	1996 NI 1
F3	1998 NI 13
F4	1984 NI 3
F5	1987 NI 2

Changes to legislation:

Health and Personal Social Services (Northern Ireland) Order 1972, Section 9 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Instrument amended by [1995 c. 51 s.4Sch. para.30](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 56(4C)(4D) substituted by [S.I. 2002/3135 Sch. 1 para. 16](#) (This amendment has not been applied as it has been superceded by the substitution of art. 56 by 2004/311 NI 2 art. 3)
- art. 61-61E and art. 61F and cross-heading substituted for art. 61 by [2008 c. 2 \(N.I.\) s. 2\(2\)](#) (This amending provision is itself amended (13.6.2016) before it comes into force by 2016 c. 26 (N.I.), ss. 9, 20(2))
- art. 98(3) added by [2008 c. 2 \(N.I.\) s. 4\(1\)](#)
- art. 107(1A) inserted by [2008 c. 2 \(N.I.\) s. 4\(4\)\(b\)](#)