

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 104.

Dental Charges.

GENERAL ANNOTATION.

ADMINISTRATION.

The administration of this Chapter was vested in the Minister for Health at the date of its preparation for inclusion.

The present administration may be ascertained by reference to the most recent Determination of Titles and Responsibilities of Ministers made under Section 148(1) of the Constitution.

References in or in relation to this Chapter to—

“the Departmental Head”—should be read as references to the Secretary for Health;

“the Department”—should be read as references to the Department of Health.

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¹Subsidiary legislation has not been up-dated.

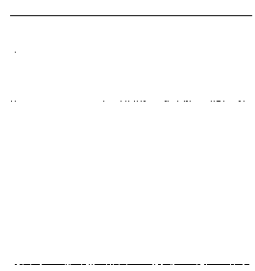
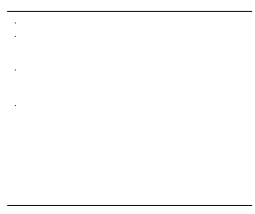
INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER No. 104.

Dental Charges Act.

ARRANGEMENT OF SECTIONS.

1. Waiver of fees.
2. Delegation.
3. Regulations.



INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 104.

Dental Charges Act.

Being an Act to allow dental charges to be fixed at different levels depending on circumstances, and for related purposes.

1. Waiver of fees.

Where for any special reason the Minister thinks fit, he may waive, reduce or defer any fees liable to be charged under this Act.

2. Delegation.

The Departmental Head may, by writing under his hand, delegate to an officer all or any of his powers and functions under this Act (except this power of delegation).

3. Regulations.

(1) The Head of State, acting on advice, may make regulations, not inconsistent with this Act, prescribing the fees to be paid for dental services provided by or on behalf of the State in cases to which the *Public Hospitals (Charges) Act* and the regulations under that Act do not apply.

(2) More than one fee may be prescribed for any service, to be applicable in the prescribed circumstances including—

- (a) the time and place of supply of the service; and
- (b) the persons or classes of persons by whom or to whom the service is supplied.

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CHAPTER NO. 104.

Dental Charges Regulation.

ARRANGEMENT OF SECTIONS.

1. Interpretation—
 - "child"
 - "family"
 - "gross family income"
 - "in-patient"
 - "major operation"
 - "minor operation"
 - "public hospital".
2. Application.
3. Fees generally.
4. Certain services free.
5. Fees for surgical operations.
6. After—care.
7. Anaesthetics.
8. Waiver of fees.
9. Recovery of fees.

SCHEDULES.

SCHEDULE 1.—Fees under Section 3(1).

Part I.—General.

Part II.—Fillings, Extractions, etc.

Division 1.—Fillings, etc.

Division 2.—Root Treatment.

Division 3.—Treatment of Periodontal and Miscellaneous Infections.

Division 4.—Extractions.

Part III.—Dentures, etc.

Part IV.—Oral Surgery.

SCHEDULE 2.—Fees Under Section 3(2).

Part I.—General.

Part II.—Fillings, Extractions, etc.

Division 1.—Fillings, etc.

Division 2.—Root Treatment.

Division 3.—Treatment of Periodontal and Miscellaneous Infections.

Division 4.—Extractions.

Part III.—Dentures, etc.

Part IV.—Oral Surgery.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 104.

Dental Charges Regulation.

MADE under the *Dental Charges Act*.

1. Interpretation.

In the Regulation, unless the contrary intention appears—

- "child", in relation to a person, includes an adopted child, a step-child and an ex-nuptial child of the person;
- "family" means a household consisting of a man, his wife and dependent children under the age of 21 years, or any of them;
- "gross family income", in relation to a member of a family, means the total of the chargeable incomes¹ of all the members of the family;
- "in-patient" means a patient who occupies a bed in a ward of a public hospital;
- "major operation" means an operation performed by a consultant dental officer or a specialist dental officer;
- "minor operation" means an operation other than a major operation;
- "public hospital" means a hospital declared to be a public hospital under the *Public Hospitals (Charges) Act*.

2. Application.

This Regulation applies only to and in respect of dental services supplied—

- (a) at the institutions or centres specified by the Head of State, acting on advice, by notice in the National Gazette for the purposes of this Regulation; and
- (b) outside such institutions or centres by a dental officer employed by the State.

3. Fees generally.

(1) Subject to this Regulation, the fee to be paid to the State by a person for a dental or other service specified in the second column of Schedule 1 supplied to that person by or on behalf of the State is the fee specified in the third column of that Schedule in relation to the service.

(2) Where, a person's gross family income does not exceed K5 000.00 per annum, the fees specified in Schedule 2 apply in respect of the services specified in that Schedule.

¹In Section 4 of the pre-Independence *Dental Charges Regulations* 1969, the words "(as the expression is defined in the *Income Tax Act* 1959-1969)" appeared after the words "chargeable income" in the definition corresponding to the above definition of "gross family income". As at the date of the making of the 1969 Regulations, the definition of "chargeable income" in Section 4(1) of the *Income Tax Act* 1959-1969 (see Section 1(1) of the *Income Tax Act*, (Chapter 110 in this Revised Edition) read as follows:—

"chargeable income" means the amount remaining after deducting from the assessable income all allowable deductions, other than—

- (a) deductions under sections sixty-nine, ninety-four and one hundred of this Act; and
- (b) concessional deductions;

Section 69, referred to in Paragraph (a) of the definition, was repealed by the *Income Tax (Amendment) Act* 1969, and the reference to it was omitted from the definition by the *Income Tax (Amendment) Act* 1970; Section 94 corresponded with Section 89 of the *Income Tax Act* (Chapter 110); and Section 100 corresponded with Section 94 of the *Income Tax Act* concessional deductions were provided for in Subdivision III. 3. B of the *Income Tax Act* 1959, which was also repealed by the *Income Tax (Amendment) Act* 1969.

In these circumstances, the intention of the *Revision of the Laws Act* 1973 can best be attained by refraining from the attempt to set down the effect of the amendments to the definition of "gross family income" in the regulation, and indicating, as above, its history; for that purpose, reliance is placed on Section 7(1) and (2) of the *Revision of the Laws Act*.

(3) Before charging a fee by reference to Schedule 2 the person responsible for calculating the amount of the fee payable may require such evidence (if any) as he considers desirable as to the amount of the gross family income of the person concerned.

(4) A person aggrieved by a decision that his gross family income exceeds K5 000.00 may appeal to a District Court or Local Court.

(5) A fee of K5.00 may be charged where a patient fails to keep an appointment.

(Amended by No. 37 of 1977, s. 1.)

4. Certain services free.

No fee is payable under this Regulation in respect of dental services supplied to a pupil enrolled in the School Dental Service.¹

5. Fees for surgical operations.

(1) Subject to Subsection (2), where two or more operations referred to in Part IV. of Schedule 1 or 2 are performed on an in-patient at a public hospital, the amount to be charged under this Regulation is the sum of—

- (a) the full amount of the charge for that one of the operations for which the highest fee is chargeable under the relevant Schedule; and
- (b) 50] of the charge for that one of the operations for which the second highest fee is chargeable under that Schedule; and
- (c) 25] of the amount of the fee chargeable under that Schedule for each of any remaining operations.

(2) Where the total charge under Subsection (1) does not come to a multiple of 5t the amount chargeable is the next highest multiple of 5t.

6. After-care.

In the case of an in-patient at a public hospital, the prescribed fee for an operation referred to in Part IV. of Schedule 1 or 2 includes the fee for after-care.

7. Anaesthetics.

No fee is payable for the administration of a local anaesthetic in connexion with any dental service.

8. Waiver of fees.

The Minister or a person authorized by him for the purpose may, at any time, in his discretion, waive payment of the whole or any part of an amount payable under this Regulation.²

9. Recovery of fees.

An amount payable under this Regulation may be recovered by the State as a debt.

¹There appears to be no specific statutory authority setting up such a service.
²See, also, *Public Finances (Control and Audit) Act, Section 79.*

SCHEDULES.

SCHEDULE 1.

(Replaced by No. 37 of 1977, s. 2.)

Reg., Sec. 3(1).

FEEs UNDER SECTION 3(1).

Item No.	Service categories.	Fee K.
1	Consultation (routine or emergency)— Includes initial and revision examinations, routine prophylaxis, emergency treatment (excluding surgery) sedative dressings	per visit 5.00
2	X-Ray	each 2.00
3	Fillings (general)— Includes simple and complex single fillings irrespective of material used (amalgam, synthetic porcelain, dental cement)	per filling 10.00
4	Extractions (general in surgery)— Includes simple and complex single extractions irrespective of anaesthetic	per extraction 5.00
	Maximum charge per visit including consultation, fillings and/or extractions (other treatment additional)	20.00
5	Periodontal (general)— Includes gingivectomy treatment of miscellaneous infections	per visit 5.00
6	Root treatment—	each tooth 15.00
7	Operations (clinic only)—	each operation 20.00
	(If patient is hospitalized fees are chargeable under the <i>Public Hospitals (Charges) Act.</i>)	
8	Gold inlay—	each inlay 50.00
9	Crowns and bridges—	
	(a) each crown	30.00
	(b) each bridge	30.00
	(c) each crown and bridge	60.00
10	Dentures—	
	(a) full upper denture	50.00
	(b) full lower denture	50.00
	(c) full set of dentures	100.00
	(d) partial denture	25.00
	(e) repair of remodelling of denture	20.00
11	Orthodontal appliances	per appliance 35.00
12	Oral surgery (in theatre)— All oral surgery under general anaesthetic	40.00
	(If patient is hospitalized fees are chargeable under the <i>Public Hospitals (Charges) Act.</i>)	

SCHEDULE 2.

(Replaced by No. 37 of 1977, s. 2.)

Reg., Sec. 3(2).

FEEES UNDER SECTION 3(2).

Item No.	Service categories.	Fee K.
1	Consultation (routine or emergency)— Includes initial and revision examinations routine prophylaxis, emergency treatment (excluding surgery) sedative dressings	per visit 0.50
2	X-Ray	each 0.50
3	Fillings (general)— Includes simple and complex single fillings irrespective of material used (amalgam, synthetic porcelain, dental cement)	per filling 2.50
4	Extractions (general in surgery)— Includes simple and complex single extractions irrespective of anaesthetic	per extraction 1.50
	Maximum charge per visit including consultation, fillings and/or extractions (other treatment additional)	8.00
5	Periodontal (general)— Includes gingivectomy treatment of miscellaneous infections	per visit 1.50
6	Root treatment—	each tooth 4.00
7	Operations (clinic only)— (If patient is hospitalized fees are chargeable under the <i>Public Hospitals (Charges) Act.</i>)	each operation 5.00
8	Gold inlay—	each inlay 50.00
9	Crowns and bridges— (a) each crown (b) each bridge (c) each crown and bridge	7.50 7.50 15.00
10	Dentures— (a) full upper denture (b) full lower denture (c) full set of dentures (d) partial denture (e) repair or remodelling of denture	10.00 10.00 20.00 5.00 4.00
11	Orthodontal appliances	per appliance 7.00
12	Oral surgery (in theatre)— All oral surgery under general anaesthetic (If patient is hospitalized fees are chargeable under the <i>Public Hospitals (Charges) Act.</i>)	10.00

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SUBSIDIARY LEGISLATION.

Reg. Sec. 2(a)—Declaration of Centres to which Regulation applies.

Goroka	Mount Hagen
Kavieng	Port Moresby
Lae	Rabaul
Madang	Samarai
Mendi	Wewak







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APPENDIXES.

APPENDIX 1.

SOURCE OF THE DENTAL CHARGES ACT.

Part A.—Previous Legislation.

Dental Charges Act 1969 (No. 67 of 1969).

Part B.—Cross References.

Section, etc., in Revised Edition.	Previous Reference ¹ .
1	4
2	5
3	6

APPENDIX 2.

SOURCE OF THE DENTAL CHARGES REGULATION.

Part A.—Previous Legislation.

Dental Charges Regulations 1969 (Statutory Instrument No. 50 of 1969)

as amended by—

Statutory Instrument (No. 10 of 1970)

Dental Charges (Amendment) Regulation 1976 (Statutory Instrument No. 37 of 1977).

Part B.—Cross References.

Section, etc., in Revised Edition.	Previous Reference ² .	Section, etc., in Revised Edition.	Previous Reference ² .
1	4	7	9
2	3	8	10
3	5	9	11
4	6	Schedules—	Schedules—
5	7	Schedule 1	Schedule 1
6	8	Schedule 2	Schedule 2

¹Unless otherwise indicated, references are to the Act set out in Part A.

²Unless otherwise indicated, references are to the regulations set out in Part A.

