

1993/201



**THE ACCIDENT COMPENSATION (DENTISTS COSTS)  
REGULATIONS (NO. 2) 1990, AMENDMENT NO. 2**

CATHERINE A. TIZARD, Governor-General

**ORDER IN COUNCIL**

At Wellington this 28th day of June 1993

Present:

HER EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 167 (1)(1) of the Accident Rehabilitation and Compensation Insurance Act 1992, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

**ANALYSIS**

1. Title and commencement
2. Interpretation
3. Corporation to pay certain costs

4. Prohibition on contributions to cost of treatment provided by Crown health enterprises
5. Revocations
6. Savings

**REGULATIONS**

**1. Title and commencement**—(1) These regulations may be cited as the Accident Compensation (Dentists Costs) Regulations (No. 2) 1990, Amendment No. 2, and shall be read together with and deemed part of the

Accident Compensation (Dentists Costs) Regulations (No. 2) 1990\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of July 1993.

**2. Interpretation**—Regulation 2 of the principal regulations is hereby amended by revoking the definitions of the terms “hospital”, “private hospital”, “public hospital”, and “State services”.

**3. Corporation to pay certain costs**—Regulation 4 of the principal regulations is hereby amended by revoking subclause (5), and substituting the following subclause:

“(5) The costs payable by the Corporation, as required or permitted under these regulations, shall be paid—

“(a) To the dentist; or

“(b) To any person nominated by that dentist; or

“(c) If they have already been paid by the claimant, then to the claimant.”

**4. Prohibition on contributions to cost of treatment provided by Crown health enterprises**—The principal regulations are hereby amended by inserting, after regulation 4, the following regulation:

“4A. Notwithstanding anything in these regulations, the Corporation shall not contribute to the costs of any treatment where that treatment is—

“(a) Provided or obliged to be provided by any Crown health enterprise; or

“(b) Provided or obliged to be provided by any dentist who is under a contract of service, or contract for services, with a Crown health enterprise where—

“(i) That contract relates to the provision of treatment which the Crown health enterprise is obliged to provide under a purchase agreement; and

“(ii) The dentist is providing or obliged to provide the treatment pursuant to that contract with that Crown health enterprise.”

**5. Revocations**—Regulations 5, 6, 7, and 10 of the principal regulations are hereby revoked.

**6. Savings**—Notwithstanding these regulations, where any treatment has been provided, at any time before the close of the 30th day of June 1993, to a claimant in respect of personal injury, the principal regulations shall continue to apply as if these regulations had not been made.

DIANE WILDERSPIN,  
Acting for Clerk of the Executive Council.

## EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force on 1 July 1993, omit from the Accident Compensation (Dentists Costs) Regulations (No. 2) 1990 references to terms repealed by the Health Reforms (Transitional Provisions) Act 1993. Regulations affected or superseded by the sections enacted in 1993 as sections 27, 27<sup>b</sup>, and 27<sup>c</sup> of the Accident Rehabilitation and Compensation Insurance Act 1992 are amended or revoked.

Amendments are made to permit payment to a person nominated by the treatment provider.

The new *regulation 4A* prohibits payments being made to Crown health enterprises pursuant to the principal regulations.

The amendments made by these regulations do not affect payment for treatment provided before 1 July 1993.

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Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 30 June 1993.

These regulations are administered in the Accident Rehabilitation and Compensation Insurance Corporation.