

SCHEDULE 2

Amendments to and revocations of other subordinate legislation

Amendment of the National Health Service (Personal Dental Services Agreements) (Wales) Regulations 2006

11. In Schedule 3 (other contractual terms) to the National Health Service (Personal Dental Services Agreements) (Wales) Regulations 2006⁽¹⁾—

- (a) in paragraph 79(1), for “hold adequate insurance against liability for negligent performance of clinical services under the agreement”, substitute “have in force in relation to it an indemnity arrangement which provides appropriate cover”;
- (b) in paragraph 79(2), for “holds adequate insurance against liability arising from negligent performance of such services”, substitute “has in force in relation to the sub-contractor an indemnity arrangement which provides appropriate cover”;
- (c) in paragraph 79(3)(a), for ““insurance” means”, substitute ““indemnity arrangement” means”;
- (d) in paragraph 79(3), after paragraph (a) (but before the following “and”) insert—
 - “(aa) “appropriate cover” means cover against liabilities that may be incurred by the contractor in the performance of clinical services under the agreement, which is appropriate, having regard to the nature and extent of the risks in the performance of such services;”;
- (e) in paragraph 79(3)(b), for “holding insurance if it is held by”, substitute “having in force in relation to it an indemnity arrangement if there is an indemnity arrangement in force in relation to”;
- (f) in paragraph 80(1), for “the insurance”, substitute “an indemnity arrangement”;
- (g) in paragraph 80(2), for “insurance” substitute “indemnity arrangement”.

(1) S.I. 2006/489.