
STATUTORY INSTRUMENTS

1993 No. 523 (S.60)

NATIONAL HEALTH SERVICE, SCOTLAND

**The National Health Service (Dental Services)
(Miscellaneous Amendments) (Scotland) Regulations 1993**

<i>Made</i>	- - - -	<i>5th March 1993</i>
<i>Laid before Parliament</i>		<i>11th March 1993</i>
<i>Coming into force</i>	- -	<i>1st April 1993</i>

The Secretary of State, in exercise of the powers conferred on him by sections 4, 70(1A), 71(1), 71A, 73, 74, 75, 105(7) and 108(1) of, and paragraphs 2(6) and 3(3) and (5) of Schedule 11 to, the National Health Service (Scotland) Act 1978(1) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Health Service (Dental Services) (Miscellaneous Amendments) (Scotland) Regulations 1993 and shall come into force on 1st April 1993.

(2) In these Regulations—

“the 1974 Regulations” means the National Health Service (General Dental Services) (Scotland) Regulations 1974(2);

“the 1989 Regulations” means the National Health Service (Dental Charges) (Scotland) Regulations 1989(3).

(1) 1978 c. 29; section 4 was amended by section 12 of the Health and Medicines Act 1988 (c. 49) (“the 1988 Act”); section 70(1A) and 71A were inserted by, and section 71 was amended by, section 11 of the 1988 Act; section 73 was amended by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), Schedule 9, paragraph 19(11); section 74 was amended by the 1990 Act, Schedule 9, paragraph 19(12); section 105(7), which contains provisions relevant to the making of regulations, was amended by the Health Services Act 1980 (c. 53) (“the 1980 Act”), Schedule 6, paragraph 5 and Schedule 7, paragraph 24 and by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 9, paragraph 24; paragraph 2(6) of Schedule 11 was amended by the Health and Social Security Act 1984 (c. 48), Schedule 8, Part I; paragraph 3(5) of Schedule 11 was amended by the 1980 Act, Schedule 5, paragraph 7(3); for the definitions of “prescribed” and “regulations” see section 108(1).

(2) S.I. 1974/505.

(3) S.I. 1989/363, relevant amending instruments are S.I. 1991/569 and 1992/458.

Amendment of regulation 9 of the 1974 Regulations

2. In regulation 9 of the 1974 Regulations (Constitution) for the word “six” in paragraph (2) shall be substituted the word “seven”.

Amendment of regulation 10 of the 1974 Regulations

3.—(1) In regulation 10 of the 1974 Regulations (Tenure of office) for the words “31st day of December” in paragraphs (3) and (4) shall be substituted the words “31st March” in each case.

(2) The amendment made by paragraph (1) shall apply only in the case of members appointed on or after 1st April 1993.

Amendment of the 1989 Regulations

4.—(1) The 1989 Regulations shall be amended in accordance with the following paragraphs of this regulation.

(2) In regulation 4 (calculations of charges) for “75%” in paragraph (1) shall be substituted “80%” and for the amount “£225” in both places where it occurs in paragraph (5) shall be substituted the amount “£250”.

(3) In Schedule 1 (calculation of charge for supply of appliance on referral) for “75%” in paragraph 2(b)(ii) shall be substituted “80%”.

Transitional provision

5. Where, on or after 1st April 1993, appliances are supplied, or other general dental services are provided, in pursuance of a contract or arrangement for the provision of general dental services made before that date, the provisions of regulation 4(1) and (5) of and Schedule 1 to the 1989 Regulations shall have effect in respect of that supply, or that other provision, as if regulation 4 of these Regulations had not come into force.

St Andrew’s House,
Edinburgh
5th March 1993

Fraser of Carmyllie
Minister of State, Scottish Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend—

- (a) the National Health Service (General Dental Services) (Scotland) Regulations 1974 (“the 1974 Regulations”), which provide for the arrangements under which dentists provide general dental services as part of the National Health Service in Scotland; and
- (b) the National Health Service (Dental Charges) (Scotland) Regulations 1989 (“the 1989 Regulations”), which provide for the making and recovery of charges for dental appliances, supplied or repaired under the National Health Service in Scotland, and for other dental treatment provided as part of NHS general dental services.

Regulation 9 of the 1974 Regulations is amended to increase the number of members of the Scottish Dental Practice Board (“the SDPB”) from six to seven. Regulation 10 of the 1974 Regulations is amended to provide that any members of the SDPB who are appointed on or after 1st April 1993 shall, at the expiry of their terms of office, retire on 31st March.

The 1989 Regulations are amended to increase from 75% to 80% the percentage of the patient contribution towards dental charges. The Regulations also increase from £225 to £250 the maximum contribution which a patient may be required to make towards the aggregate cost of dental treatment and appliances under Part II of the National Health Service (Scotland) Act 1978, where the contract or arrangement leading to the provision of such treatment and the supply of such appliances is made on or after 1st April 1993.