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STATUTORY INSTRUMENTS

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**1996 No. 177**

**The National Health Service (General Dental Services) (Scotland) Regulations 1996**

**PART V**

payments in consequence of suspension

**Amounts and times of payment**

**29.**—(1) A Health Board to whom an application for payment is made in accordance with regulation 28, shall, if satisfied, having made such enquiries as it considers relevant, that the claimant is eligible for payment by virtue of regulation 28, determine that he shall in respect of any period for which he is so entitled receive payment which, subject to paragraphs (2) to (6), shall be calculated as follows:—

- (a) where his registration is suspended by a direction or order of the Health Committee—
  - (i) £2,984 per month for each of the first 6 months for which he is entitled to payment, whether in respect of one or more periods of such suspension and whether or not those 6 months are consecutive, and
  - (ii) £1,492 per month thereafter;
- (b) where his registration is suspended by an interim suspension order—
  - (i) where the period of interim suspension ends with an order for erasure or immediate suspension, £1,492 per month for the period of interim suspension, and
  - (ii) in any other case, £2,984 per month.

(2) Where in the period of 2 years immediately preceding the suspension date the total amount of fees received by the claimant for the provision of general dental services was less than £142,242, payment made to him shall (subject to any further reduction under paragraph (3)) be in the same proportion to the amount otherwise payable in accordance with paragraph (1) as that total amount of fees is to £142,242.

(3) Where the claimant's name was included in the dental list of the Health Board to which the application is made for a period of less than 2 years immediately preceding the suspension date, payment made to him shall be in the same proportion to the amount otherwise payable in accordance with paragraph (1) or paragraph (2) as the number of complete months in that lesser period is to 24.

(4) Where the claimant's registration has been suspended by an interim suspension order or by a direction or order of the Health Committee within a period of 2 years after the expiry of a previous period of such suspension, the references in paragraphs (2) and (3) above to the suspension date shall be taken as references to the suspension date applicable to that previous period.

(5) Where the Health Board has to make a determination as to payment at a time when it does not know whether or not the period of a person's interim suspension will end with an order for erasure or immediate suspension, or whether or not he will be convicted of a criminal offence, it shall make that determination as though his period of suspension did so end or he was convicted of the offence; but it

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shall review that determination and make appropriate adjustment as to past payment, if subsequently that period does not so end or he is not convicted of the offence.

(6) Any payment shall, so far as is reasonably practicable, be made by the Health Board at the end of each month in arrears, and an appropriate proportion of the monthly amount shall be paid where the claimant is entitled to a payment for part only of a month.