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STATUTORY INSTRUMENTS

2006 No. 563

NATIONAL HEALTH SERVICE, ENGLAND

The National Health Service (General Dental Services Contracts and Personal Dental Services Agreements) Amendment Regulations 2006

Made - - - - *3rd March 2006*

Laid before Parliament *10th March 2006*

Coming into force - - *1st April 2006*

The Secretary of State for Health makes the following Regulations in exercise of the powers conferred on her by sections 28E, 28O and 126(4) of the National Health Service Act 1977(1).

Citation, commencement and application

1.—(1) These Regulations may be cited as the National Health Service (General Dental Services Contracts and Personal Dental Services Agreements) Amendment Regulations 2006 and shall come into force on 1st April 2006.

(2) These Regulations apply in relation to England only(2).

Interpretation

2. In these Regulations—

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- (1) 1977 c. 49; section 28E is inserted by section 22(1) of the National Health Service (Primary Care) Act 1997 (c. 46), and amended by the Health Act 1999 (c. 8) (“the 1999 Act”), section 65(2) and Schedule 5; the Health and Social Care Act 2001 (c. 15) (“the 2001 Act”), section 27(5)(a); the National Health Service Reform and Health Care Professions Act 2002 (c. 17) (“the 2002 Act”), section 4(3) and Schedule 3, paragraph 8; and the Health and Social Care (Community Health and Standards) Act 2003 (c. 43) (“the 2003 Act”), section 177(7) to (11). Section 28O is inserted by section 172(1) of the 2003 Act. Section 126(4) is amended by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 65(2); the 1999 Act, Schedule 4, paragraph 37(6); and the 2001 Act, Schedule 5, paragraph 5(13)(b). *See also* section 128(1) of the National Health Service Act 1977, as amended by section 26(2)(g) and (i) of the 1990 Act, for the definitions of “prescribed” and “regulations”.
- (2) As regards Wales, the functions of the Secretary of State under sections 28E and 28O of the National Health Service Act 1977 were transferred to Wales under S.I. 1999/672, article 2 and Schedule 1, as amended by the 1999 Act, section 66(5) and as read with section 40(1) of the 2002 Act and section 197(1) of the 2003 Act.

“GDS Regulations” means the National Health Service (General Dental Services Contracts) Regulations 2005⁽³⁾; and

“PDS Regulations” means the National Health Service (Personal Dental Services Agreements) Regulations 2005⁽⁴⁾.

Amendment to the GDS and PDS Regulations

3. In regulation 2(1) of the GDS Regulations and regulation 2(1) of the PDS Regulations (interpretation), in paragraph (c) of the definition of “family member”, omit the word “registered”.

Amendment to the GDS Regulations

4. In paragraph 3(4) of Schedule 2 to the GDS Regulations (units of orthodontic activity) for the figure “21.0” there shall be substituted “23.0”.

Amendment to the PDS Regulations

5.—(1) In paragraph 69(3)(b) of Schedule 3 to the PDS Regulations (terminations by the Relevant Body on grounds of suitability etc.) for the words “the corporation” there shall be substituted “that body”.

(2) In paragraph 13 of Schedule 4 to the PDS Regulations (patient information leaflet) for the words “the dental” there shall be substituted “dental services for the”.

Signed by authority of the Secretary of State for Health

3rd March 2006

Rosie Winterton
Minister of State,
Department of Health

(3) S.I. 2005/3361.

(4) S.I. 2005/3373.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (General Dental Services Contracts) Regulations 2005 (“the GDS Regulations”) (S.I. 2005/3361) and the National Health Service (Personal Dental Services Agreements) Regulations 2005 (“the PDS Regulations”) (S.I. 2005/3373). Regulation 3 amends the definition of family member in the GDS Regulations and PDS Regulations by removing the reference to registered in relation to a patient as patients will no longer be registered with a dental practitioner.

Regulation 4 corrects an error in paragraph 3(4) of Schedule 2 to the GDS Regulations in respect of the units of orthodontic activity provided in respect of a patient aged 18 years or over so as to refer to 23 units of orthodontic activity.

Regulation 5 corrects a reference in paragraph 69(3)(b) of Schedule 3 to the PDS Regulations so as to refer to “that body”. It also corrects a reference in paragraph 13 of Schedule 4 so as to refer to “dental services” in respect of the arrangements that fall outside normal surgery hours.

A Regulatory Impact Assessment has been prepared in respect of the National Health Service (General Dental Services Contracts) Regulations 2005 and the National Health Service (Personal Dental Services Agreements) Regulations 2005 and copies have been placed in the library of each House of Parliament. A copy of the Regulatory Impact Assessment can be obtained from www.dh.gov.uk/ria.