
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set out, for Wales, the framework for general dental services contracts under section 28K of the National Health Service Act 1977 (“the Act”).

Part 2 of the Regulations prescribes the conditions which, in accordance with section 28M of the Act, must be met by a contractor before the Local Health Board may enter into a general dental services contract with it.

Part 3 of the Regulations prescribes the procedure for pre-contract dispute resolution, in accordance with section 28P(1) of the Act. Part 3 applies to cases where the contractor is not a health service body. In cases where the contractor is such a body, the procedure for dealing with pre-contract disputes is set out in section 4 of the National Health Service and Community Care Act 1990.

Part 4 of the Regulations sets out the procedures, in accordance with section 28P(3) of the Act, by which the contractor may obtain health service body status.

Part 5 of (and Schedules 1 to 3 to) the Regulations prescribe the terms which, in accordance with sections 28O and 28P of the Act, must be included in a general dental services contract (in addition to those contained in the Act). It includes, in regulation 14, a description of the services which must be provided to patients under a general dental services contract pursuant to section 28L of the Act.

The prescribed terms include terms relating to—

- (a) the type and duration of the contract (regulations 10 to 13);
- (b) the services to be provided and the manner in which they are to be provided (regulations 14 to 19 and Schedules 1 and 2 and Parts 1 and 2 of Schedule 3);
- (c) finance, fees and charges (regulations 21 and 22);
- (d) prescribing of drugs and appliances (Schedule 3, Part 3);
- (e) the conditions to be met by those who perform services or are employed or engaged by the contractor (Schedule 3, Part 4);
- (f) patient records, the provision of information and rights of entry and inspection (Schedule 3, Part 5 and Schedule 4);
- (g) complaints (Schedule 3, Part 6);
- (h) procedures for dispute resolution (Schedule 3, Part 7);
- (i) procedure for a mid-year review of activity under the contract (Schedule 3, Part 8); and
- (j) procedures for variation and termination of contracts (Schedule 3, Part 9).

Part 6 of the Regulations makes transitional provision.

A Regulatory Appraisal has been prepared for these Regulations and a copy has been placed in the library of the National Assembly for Wales. Copies of the Regulatory Appraisal can be obtained from Community Primary Care and Health Services Policy Directorate, National Assembly for Wales, Cathays Park, Cardiff CF10 3NQ.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The National Health Service (General Dental Services Contracts) (Wales) Regulations 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Sch. 2 para. 2 Table B sum omitted by S.I. 2012/2572 reg. 2(b)
- Sch. 2 para. 2 word inserted by S.I. 2009/456 reg. 4(b)
- Sch. 2 para. 2 words inserted by S.I. 2009/456 reg. 4(a)
- Sch. 2 para. 2 Table B words omitted by S.I. 2012/2572 reg. 2(a)
- Sch. 3 para. 51(1)(a)(ii) omitted by S.I. 2009/462 Sch. 5 para. 20(b)
- Sch. 3 para. 36 omitted by S.I. 2023/299 reg. 7(2)(a)
- Sch. 3 para. 45 omitted by S.I. 2023/299 reg. 7(2)(c)
- Sch. 3 para. 46 substituted by S.I. 2009/462 Sch. 5 para. 20(a)(ii)
- Sch. 3 para. 34(1)(c) substituted by S.I. 2011/704 Sch. 2 para. 4(2)(a)
- Sch. 3 para. 47 heading substituted by S.I. 2011/704 Sch. 2 para. 4(2)(c)(i)
- Sch. 3 para. 47(1) substituted by S.I. 2011/704 Sch. 2 para. 4(2)(c)(ii)
- Sch. 3 para. 54(1) substituted by S.I. 2016/90 reg. 12
- Sch. 3 para. 38(2)(d) substituted by S.I. 2017/1040 reg. 3(3)
- Sch. 3 para. 51(2) word omitted by S.I. 2016/211 Sch. 3 para. 69(a)
- Sch. 3 para. 30(b) word substituted by S.I. 2013/235 Sch. 2 para. 96(4)(b)
- Sch. 3 para. 71(2)(h)(i) word substituted by S.I. 2016/481 Sch. 2 para. 13
- Sch. 3 para. 38(1)(e) word substituted by S.I. 2017/1040 reg. 3(2)(a)
- Sch. 3 para. 51(2) word substituted for full stop by virtue of by S.I. 2016/211 Sch. 3 para. 69(b)
- Sch. 3 para. 71(2)(h)(i) words inserted by S.I. 2012/2404 Sch. 3 para. 51(3)(a)(i)
- Sch. 3 para. 71(2)(h)(i) words inserted by S.I. 2012/2404 Sch. 3 para. 51(3)(a)(iii)
- Sch. 3 para. 71(2)(h)(ii) words inserted by S.I. 2012/2404 Sch. 3 para. 51(3)(b)
- Sch. 3 para. 51 words inserted by S.I. 2011/704 Sch. 2 para. 4(2)(c)(iii)(aa)
- Sch. 3 para. 51(2) words inserted by S.I. 2016/211 Sch. 3 para. 69(c)
- Sch. 3 para. 71(2)(h)(i) words omitted by S.I. 2012/2404 Sch. 3 para. 51(3)(a)(ii)
- Sch. 3 para. 44(3) words omitted by S.I. 2023/299 reg. 7(2)(b)
- Sch. 3 para. 44(3)(a) words substituted by S.I. 2009/462 Sch. 5 para. 20(a)(i)
- Sch. 3 para. 14 words substituted by S.I. 2013/235 Sch. 2 para. 96(4)(a)
- Sch. 3 para. 51(2) words substituted by S.I. 2013/235 Sch. 2 para. 96(4)(c)
- Sch. 3 para. 81(1) words substituted by S.I. 2014/1887 Sch. 2 para. 10(a)
- Sch. 3 para. 81(2) words substituted by S.I. 2014/1887 Sch. 2 para. 10(b)
- Sch. 3 para. 81(3)(a) words substituted by S.I. 2014/1887 Sch. 2 para. 10(c)
- Sch. 3 para. 81(3)(b) words substituted by S.I. 2014/1887 Sch. 2 para. 10(e)
- Sch. 3 para. 82(1) words substituted by S.I. 2014/1887 Sch. 2 para. 10(f)
- Sch. 3 para. 82(2) words substituted by S.I. 2014/1887 Sch. 2 para. 10(g)
- Sch. 3 para. 54 words substituted by S.I. 2011/704 Sch. 2 para. 4(2)(d)
- Sch. 3 para. 65(1) words substituted by S.I. 2016/90 reg. 13(2)(a)
- Sch. 3 para. 65(1)(a) words substituted by S.I. 2016/90 reg. 13(2)(b)
- Sch. 3 para. 65(2) words substituted by S.I. 2016/90 reg. 13(3)
- Sch. 4 para. 17 substituted by S.I. 2011/704 Sch. 2 para. 4(3)
- Regulations words substituted by S.I. 2022/634 Sch. para. 1(1)(3)
- reg. 2(1) word omitted by S.I. 2013/235 Sch. 2 para. 96(2)(b)
- reg. 2(1) words inserted by S.I. 2013/235 Sch. 2 para. 96(2)(a)
- reg. 2(1) words substituted by 2020 c. 17 Sch. 24 para. 348
- reg. 2(1) words substituted by S.I. 2010/22 Sch. 3 para. 132
- reg. 4(3)(g)(i) word substituted by S.I. 2016/481 Sch. 2 para. 13
- reg. 4(3)(g)(i) words inserted by S.I. 2012/2404 Sch. 3 para. 51(2)(a)(i)
- reg. 4(3)(g)(i) words inserted by S.I. 2012/2404 Sch. 3 para. 51(2)(a)(iii)
- reg. 4(3)(g)(i) words omitted by S.I. 2012/2404 Sch. 3 para. 51(2)(a)(ii)

- reg. 4(3)(g)(ii) words inserted by S.I. 2012/2404 Sch. 3 para. 51(2)(b)
- reg. 7 words omitted by S.I. 2010/22 Sch. 3 para. 133(b)
- reg. 7 words substituted by S.I. 2010/22 Sch. 3 para. 133(a)
- reg. 9(7)(b) substituted by S.I. 2016/90 reg. 10

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- blanket amendment words substituted by S.I. 2023/1071 Sch. para. 1

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 2 para. 1(3) inserted by S.I. 2014/872 reg. 2
- Sch. 3 para. 71(6) inserted by S.I. 2013/235 Sch. 2 para. 96(4)(d)
- Sch. 3 para. 81(3)(aa) inserted by S.I. 2014/1887 Sch. 2 para. 10(d)
- Sch. 3 Pt. 5A inserted by S.I. 2011/704 Sch. 2 para. 4(2)(b)
- Sch. 3 para. 13B inserted by S.I. 2016/90 reg. 11
- Sch. 3 para. 38(3)-(6) inserted by S.I. 2017/1040 reg. 3(4)
- Sch. 3 para. 16A inserted by S.I. 2019/917 reg. 5(2)
- Sch. 3 para. 51(1)(a)(iii)(iv) substituted for Sch. 3 para. 51(1)(a)(iii) by S.I. 2011/704 Sch. 2 para. 4(2)(c)(iii)(bb)
- Sch. 3 para. 39(1)(f) words omitted by S.I. 2017/1040 reg. 3(2)(b)
- reg. 4(7) inserted by S.I. 2013/235 Sch. 2 para. 96(3)