
WELSH STATUTORY INSTRUMENTS

2006 No. 946

**The General Dental Services and Personal Dental Services
Transitional and Consequential Provisions (Wales) Order 2006**

PART 1

GENERAL

Title, commencement and application

1. –

(1) The title of this Order is the General Dental Services and Personal Dental Services Transitional and Consequential Provisions (Wales) Order 2006 which comes into force on 1 April 2006.

(2) This Order applies in relation to Wales.

Interpretation

2. –

(1) In this Order—

“the 1977 Act” means the National Health Service Act 1977(1);

“the 1992 Regulations” means the National Health Service (General Dental Services) Regulations 1992(2);

“the Board” means the Dental Practice Board;

“capitation arrangement” means an arrangement made under paragraph 5 of Schedule 1 to the 1992 Regulations;

“care and treatment” means—

(a) all proper and necessary care which a dentist usually undertakes for a patient and which the patient is willing to undergo, including advice, planning of treatment and preventive care; and

(b) treatment;

“dental list” means the list of dental practitioners that had effect on 31 March 2006 who undertook to provide general dental services for persons in its area kept by a Local Health Board under regulations made under section 36(1)(a) of the 1977 Act;

“GDS Contracts Regulations” means the National Health Service (General Dental Services Contracts) (Wales) Regulations 2006(3);

(1) 1977 c. 49.

(2) S.I. 1992/661.

(3) S.I. 2006/490 (W.59).

“general dental services contract” means a contract under section 28K of the 1977 Act (general dental services contracts)(4);

“NHS Business Services Authority” means the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) established by the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (Establishment and Constitution) Order 2005(5);

“NHS Charges Regulations” means the National Health Service (Dental Charges) (Wales) Regulations 2006(6);

“PDS Agreements Regulations” means the National Health Service (Personal Dental Services Agreements) (Wales) Regulations 2006(7);

“PDS Directions” means the Directions to Health Authorities concerning the implementation of pilot schemes (personal dental services)(8);

“personal dental services agreement” means an agreement for primary dental services under section 28C of the 1977 Act (personal medical or dental services)(9);

“pilot scheme agreement” means an agreement made under Part 1 of the National Health Service (Primary Care) Act 1997(10);

“pilot scheme provider” means the person or persons, other than a Local Health Board, who provide personal dental services under a pilot scheme agreement and who is a party or are parties to that agreement;

“the Transitional Order” means the General Dental Services and Personal Dental Services Transitional Provisions (Wales) Order 2006(11); and

“SDR” means the Statement of Dental Remuneration determined and published by the National Assembly for Wales under regulation 19 of the 1992 Regulations, as that statement had effect on 31 March 2006.

(2) In this Order, the use of the term “it” in relation to the contractor will be deemed to include a reference to a contractor that is an individual dental practitioner or two or more individuals practising in partnership and related expressions will be construed accordingly.

(4) Section 28K was inserted into the 1977 Act by section 172 of the Health and Social Care (Community Health and Standards) Act 2003 (“the 2003 Act”).

(5) [S.I. 2005/2414](#).

(6) [S.I. 2006/491 \(W.60\)](#).

(7) [S.I. 2006/489 \(W.58\)](#).

(8) The Directions were made in August 1998.

(9) Section 28C was inserted into the 1977 Act by section 21(1) of the National Health Service (Primary Care) Act 1997 (c. 46).

(10) 1997 c. 47.

(11) [S.I. 2006/488 \(W.57\)](#).