

These notes relate to the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13) which received Royal Assent on 5 August 2005

SMOKING, HEALTH AND SOCIAL CARE (SCOTLAND) ACT 2005

EXPLANATORY NOTES

THE ACT

Part 2: General Dental Services, General Ophthalmic Services and Personal Dental Services

Section 18 – Lists of persons performing personal dental services under section 17C arrangements or pilot schemes

57. A new section 17F is inserted into the 1978 Act. This provides an enabling power so that regulations may be made to establish lists of persons performing personal dental services (PDS) under pilot schemes or section 17C arrangements, that is, permanent schemes.
58. New subsection (1) provides that no person may perform PDS in an area unless that person's name is included in a list maintained by the Health Board.
59. Paragraphs (a) to (j) of new subsection (2) set out issues that may be included in the regulations and provide that the regulation making powers may in particular include provision as to: the preparation, maintenance and publication of a list by a Health Board, eligibility and applications for inclusion in such a list; the grounds on which an application must be granted, or refused, or a removal made and the consequences of removal; requirements with which a person included in a list must comply; circumstances in which a listed person may not withdraw from that list; the grounds under which a Health Board may suspend a person from its list; provision as to payments while subject to suspension by a Board; and disclosure of information about applications, refusal of applications, or suspensions, removal or references to the Tribunal.