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SCOTTISH STATUTORY INSTRUMENTS

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**2009 No. 96**

**NATIONAL HEALTH SERVICE**

**The National Health Service (General Dental Services) (Scotland) Amendment Regulations 2009**

<i>Made</i>	- - - -	<i>9th March 2009</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>10th March 2009</i>
<i>Coming into force</i>	- -	<i>1st April 2009</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 25(1) and (2), 105(7) and 108(1) of the National Health Service (Scotland) Act 1978(1), and all other powers enabling them to do so.

**Citation and commencement**

1. These regulations may be cited as the National Health Service (General Dental Services) (Scotland) Amendment Regulations 2009 and come into force on 1st April 2009.

**Amendment of the National Health Service (General Dental Services) (Scotland) Regulations 1996**

2.—(1) Schedule 1 of the National Health Service (General Dental Services) (Scotland) Regulations 1996(2) (terms of service for dentists) is amended as follows.

(2) In paragraph 8(1) (lapsing of a continuing care arrangement) for “36” substitute “48”.

(3) In paragraph 9(1) (lapsing of a capitation arrangement) for “36” substitute “48”.

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- (1) 1978 c. 29. Section 25(2) was extended by the Health and Medicines Act 1988 (c. 49), section 17 and amended by the National Health Service and Community Care Act 1990 (c. 19), section 40(2) and Schedule 9, paragraph 19(6), by the National Health Service (Primary Care) Act 1997 (c. 46), Schedule 2, paragraph 43 and Schedule 3 and by the Health Act 1999 (c. 8), section 56(3); section 105(7) was amended by the Health Services Act 1980 (c. 53), Schedule 6, paragraph 5 and Schedule 7 and by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 9, paragraph 24; section 108(1) contains the definition of “regulations” relevant to the exercise of the statutory powers under which these Regulations are made. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).
- (2) S.I.1996/177 as relevantly amended by S.I. 1996/2060 and S.S.I. 2006/137.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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St Andrew's House,  
Edinburgh  
9th March 2009

*NICOLA STURGEON*  
A member of the Scottish Executive

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the National Health Service (General Dental Services) (Scotland) Regulations 1996 (“the Regulations”), which make provisions as to the arrangements under which dentists provide general dental services under the National Health Service in Scotland.

Regulation 2(2) amends the Regulations at paragraph 8(1) of Schedule 1 so that a continuing care arrangement will lapse after 48 months from when it was first commenced or was extended rather than after 36 months, as was previously provided for.

Regulation 2(3) amends the Regulations at paragraph 9(1) of Schedule 1 so that a capitation arrangement will lapse after 48 months from when it was first commenced or was extended rather than after 36 months, as was previously provided for.