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STATUTORY INSTRUMENTS

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**1998 No. 3**

**NATIONAL HEALTH SERVICE,  
ENGLAND AND WALES  
NATIONAL HEALTH SERVICE, SCOTLAND**

**The National Health Service (Proposals for Pilot Schemes) and  
(Miscellaneous Amendments) Amendment Regulations 1998**

<i>Made</i>	- - - -	<i>6th January 1998</i>
<i>Laid before Parliament</i>		<i>7th January 1998</i>
<i>Coming into force</i>	- -	<i>28th January 1998</i>

The Secretary of State, in exercise of powers conferred on him by sections 45(1) and 126(4) of the National Health Service Act 1977(1), and sections 9(6) and 105(6) and (7) of the National Health Service (Scotland) Act 1978(2) and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

**Citation and Commencement**

1. These Regulations may be cited as the National Health Service (Proposals for Pilot Schemes) and (Miscellaneous Amendments) Amendment Regulations 1998 and shall come into force on 28th January 1998.

**Amendment of the National Health Service (Proposals for Pilot Schemes) and (Miscellaneous Amendments) Regulations 1997**

2.—(1) The National Health Service (Proposals for Pilot Schemes) and (Miscellaneous Amendments) Regulations(3) shall be amended in accordance with the provisions of this regulation.

(2) In regulation 2 (requests to authorities for preparation of proposals), for sub-paragraph (b) of paragraph (5) substitute—

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- (1) 1977 c. 49; see section 128(1) as amended by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 26(2)(g) and (i), for the definitions of “prescribed” and “regulations”. Section 45(1) was amended by paragraph 7(a) of Schedule 3 to the Health and Social Security Act 1984 (c. 48) (“the 1984 Act”) and paragraph 33 of Schedule 1 to the Health Authorities Act 1995 (c. 17). Section 126(4) was amended by section 65(2) of the 1990 Act.
- (2) 1978 c. 29. Section 105(7) was amended by paragraph 5(1)(c) of Schedule 6 and Schedule 7 to the Health Services Act 1980 (c. 53) and extended by paragraph 24 of Part I of Schedule 9 to the Health and Social Services and Social Security Adjudications Act 1983 (c. 41) and section 28(3) of the 1984 Act.
- (3) S.I. 1997/2289.

- “(b) be received by the authority before the beginning of the period of—
- (i) 28 days which ends on that date in the case of a proposal relating to a pilot scheme<sup>(4)</sup> under which personal medical services are to be provided, or
  - (ii) two months which ends on that date in the case of a proposal relating to a pilot scheme under which personal dental services are to be provided.”
- (3) In regulation 3 (consultation on proposals), after paragraph (2) add—
- “(3) Where, pursuant to directions given by the Secretary of State under section 4<sup>(5)</sup> of the 1997 Act, a Local Dental Committee<sup>(5)</sup> or an Area Dental Committee<sup>(6)</sup> is, prior to submission of proposals for a pilot scheme, consulted by the authority for whose area the Committee was formed, it shall be a function of the Committee to—
- (a) consider the effect of the proposals on the provision of general dental services in that area; and
  - (b) in the light of the conclusions which the Committee reaches as a result of that consideration, give advice to the authority about that effect.”

*Frank Dobson*  
One of Her Majesty’s Principal Secretaries of  
State,  
Department of Health

6th January 1998

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(4) “Pilot scheme” is defined in section 1(1) of the 1997 Act. Section 4 of that Act, so far as it was not already in force, came into force on 29th October 1997. See article 2 of [S.I. 1997/2620](#).

(5) See section 44 of the 1977 Act (amended by paragraph 6 of Schedule 3 and Part I of Schedule 8 to the Health and Social Security Act 1984 (c. 48), section 12(4) of the National Health Service and Community Care Act 1990 (c. 19) and paragraph 32 of Schedule 1 to the Health Authorities Act 1995 (c. 17)).

(6) See section 9(1)(b) and (2)(b) of the 1978 Act (amended by section 29(5)(a) and (b) of the National Health Service and Community Care Act 1990).

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## EXPLANATORY NOTE

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

These Regulations amend the National Health Service (Proposals for Pilot Schemes) and (Miscellaneous Amendments) Regulations 1997. They make amendments to deal with proposals under which personal dental services would be provided.

These Regulations make provision in connection with requests made to Health Authorities in England and Wales or Scottish Health Boards (“authorities”). Regulation 2(2) provides that such a request must be received two months before any date specified in directions as the date by which such proposals must be submitted by authorities to the Secretary of State.

Regulation 2(3) provides that a Local Dental Committee in England and Wales or an Area Dental Committee in Scotland must, if consulted by an authority, consider the effect of a proposal on the provision of general dental services in their area and provide advice accordingly.

These Regulations impose no costs on business.