
SCOTTISH STATUTORY INSTRUMENTS

1999 No. 52

NATIONAL HEALTH SERVICE

**The Scottish Dental Practice Board
Amendment Regulations 1999**

Made - - - - 3rd September 1999
*Laid before the Scottish
Parliament* - - - - 9th September 1999
Coming into force - - 1st October 1999

The Scottish Ministers, in exercise of the powers conferred on them by sections 4(1), (1A) and (2), 25(1), 105(7) and 108(1) of the National Health Service (Scotland) Act 1978⁽¹⁾, and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Scottish Dental Practice Board Amendment Regulations 1999 and shall come into force on 1st October 1999.

Interpretation

2. In these Regulations “the principal Regulations” means The Scottish Dental Practice Board Regulations 1997⁽²⁾.

Amendment of regulation 2 of the principal Regulations

3. In regulation 2 of the principal Regulations (interpretation)–

(a) after the definition of “estimate” there is inserted–

““Health Board” means a Health Board constituted under section 2 of the Act;”;

(b) after the definition of “member” there is inserted–

(1) 1978 c. 29; section 4(1) was amended by the Health and Medicines Act 1988 (c. 49) (“the 1988 Act”), section 25(2); section 4(1A) was inserted by the 1988 Act, section 12(3); section 105(7), which contains provisions relevant to the making of Regulations, was amended by the Health Services Act 1980 (c. 53), Schedule 6, paragraph 5 and Schedule 7, by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 9, paragraph 24 and by the Health Act 1999 (c. 8), Schedule 4, paragraph 60; section 108(1) contains a definition of “regulations” relevant to the exercise of the statutory powers under which these Regulations are made. Section 12(1) of the 1988 Act renamed “the Scottish Dental Estimates Board” as “the Scottish Dental Practice Board”. 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.1997/174.

““primary care NHS trust” means an NHS trust to which certain functions referred to in section 12AA(a) of the Act are delegated by the Health Board.”⁽³⁾.

Amendment of regulation 8 of the principal Regulations

4. In regulation 8 of the principal Regulations (termination of tenure of office) in paragraph (3) (a) for the words “if he has failed to attend a meeting of the Board in” there is inserted “if he has been absent from all meetings of the Board for”.

Amendment of regulation 10 of the principal Regulations

5. In regulation 10 of the principal Regulations (functions)–

(a) in paragraph (2) for the words “imposed on it by these Regulations” there is substituted –
“imposed on it by the National Health Service (General Dental Services) (Scotland) Regulations 1996”⁽⁴⁾;

(b) after paragraph (2) there is inserted–

“(3) The Board shall provide such information as a Health Board or primary care NHS trust may require of it.”.

St Andrew’s House,
Edinburgh
3rd September 1999

SUSAN C DEACON
A member of the Scottish Executive

(3) Section 12AA was inserted into the National Health Service (Scotland) Act 1978 (c. 29) by the Health Act 1999 (c. 8), section 47.

(4) S.I.1996/177 amended by S. I. 1996/841, 2060, 1998/1663, 2224 and 2259, 1999/724 and S.S.I. 1999/51.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Scottish Dental Practice Board Regulations 1997 ([S.I.1997/174](#)) (“the principal Regulations”).

Regulation 4 amends regulation 8 of the principal Regulations to clarify the circumstances under which the term of office of a member of the Scottish Dental Practice Board (“the Board”) can be terminated for non-attendance at Board meetings. Regulation 5(a) corrects regulation 10 of the principal Regulations to reflect that the duties of the Board are contained in the National Health Service (General Dental Services) (Scotland) Regulations 1996 and not the principal Regulations. Regulation 5(b) adds a new provision to regulation 10 of the principal Regulations so as to provide for a new function of the Board of providing such information to a Health Board or primary care NHS trust as it may require. Regulation 3 inserts definitions of “Health Board” and “primary care NHS trust” into the principal Regulations.