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SCOTTISH STATUTORY INSTRUMENTS

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**2003 No. 158**

**The National Health Service (Dental Charges) (Scotland) Regulations 2003**

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the National Health Service (Dental Charges) (Scotland) Regulations 2003 and shall come into force on 1st April 2003.

(2) In these Regulations—

“the Act” means the National Health Service (Scotland) Act 1978;

“the 1997 Act” means the National Health Service (Primary Care) Act 1997;

“the 1996 Regulations” means the National Health Service (General Dental Services) (Scotland) Regulations 1996(1);

“the Agency” means the Common Services Agency for the Scottish Health Service constituted under section 10 of the Act;

“basic type” means, in relation to a dental appliance, a type no more expensive than that which is clinically necessary for such a reasonable standard of dental efficiency and oral health as is necessary to safeguard general health;

“the Board” means the Scottish Dental Practice Board constituted under section 4 of the Act(2);

“bridge” means a fixed or a removable bridge which takes the place of any teeth;

“capitation arrangement” has the same meaning as in the 1996 Regulations;

“continuing care arrangement” has the same meaning as in the 1996 Regulations;

“denture” does not include an obturator;

“emergency” has the same meaning as in the 1996 Regulations;

“estimate” has the same meaning as in the 1996 Regulations(3);

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

“NHS trust” shall be construed in accordance with section 12A(1) of the Act(4);

“patient” includes a person who pays or undertakes to pay a charge on behalf of a person to whom a dental appliance is supplied or to whom some other service is provided;

“pilot scheme” means a pilot scheme under Part I of the 1997 Act under which personal dental services are provided;

“Statement of Dental Remuneration” means the Statement(5) published under regulation 22 of the 1996 Regulations;

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(1) S.I. 1996/177; relevant amending instruments are S.I. 1999/724 and S.S.I. 1999/51, 2000/188 and 352, 2001/368 and 2002/99 and 268.

(2) Section 4 was amended by the 1988 Act, sections 12(3) and 25(2) and Schedule 3. The name of the Board was changed from “the Scottish Dental Estimates Board” by section 12 of the 1988 Act.

(3) The definition of “estimate” in regulation 2(1) of S.I. 1996/177 was amended by S.S.I. 1999/51.

(4) Section 12A was inserted by section 31 of the 1990 Act.

(5) Published by the Scottish Executive.

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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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“Statement remuneration” has the meaning given by regulation 4(2) and (3), and, in relation to a service provided under a pilot scheme, means the amount that would be payable if the service were provided as part of general dental services;

“supply”, in relation to an appliance, includes its replacement;

“treatment” has the same meaning as in the 1996 Regulations; and

“treatment on referral” has the same meaning as in the 1996 Regulations.

(3) Unless the context otherwise requires, a reference to a numbered regulation or Schedule is to the regulation in, or Schedule to, these Regulations bearing that number and a reference in a regulation or Schedule to a numbered paragraph is to the paragraph in that regulation or Schedule bearing that number.