

**2006 No.131**

**NATIONAL HEALTH SERVICE**

**The National Health Service (Dental Charges) (Scotland)  
Amendment Regulations 2006**

*Made* - - - - - *8th March 2006*

*Laid before the Scottish Parliament* *10th March 2006*

*Coming into force* *1st April 2006*

The Scottish Ministers in exercise of the powers conferred by sections 70A(1), 71(1), 71A, 105(7) and 108(1) of the National Health Service (Scotland) Act 1978(a) and sections 20(1), 39(2) and 40(2) of the National Health Service (Primary Care) Act 1997(b) 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 National Health Service (Dental Charges) (Scotland) Amendment Regulations 2006 and shall come into force on 1st April 2006.

**Amendment of the National Health Service (Dental Charges) (Scotland) Regulations 2003**

2. In regulation 3(1) of the National Health Service (Dental Charges) (Scotland) Regulations 2003 (charges for other dental services)(c)–

- (a) after “71(1)” insert “(a),”; and

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(a) 1978 c.29; section 70A(1) was inserted by the National Health Service (Primary Care) Act 1997 (c.46); sections 26(2) and 41(3); section 71(1) was amended by the Health and Medicines Act 1988 (c.49) (“the 1988 Act”), section 11(5) and Schedule 3 and by the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13) (“the 2005 Act”), section 12(2); section 71A was inserted by the 1988 Act, section 11(6); section 105(7) was amended by the Health Services Act 1980 (c.53), Schedule 6, paragraph 5(1) and Schedule 7, the Health and Social Services and Social Security Adjudications Act 1983 (c.41), Schedule 9, Part I, paragraph 24 and the Health Act 1999 (c.8), Schedule 4, paragraph 60; section 108(1) contains definitions of “prescribed” and “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) (“the 1998 Act”).

(b) 1997 c.46; section 20(1) was amended by the 2005 Act, section 12(3); section 40(2) contains definitions of “prescribed” and “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 1998 Act.

(c) S.S.I. 2003/158; amended by S.S.I. 2004/101 and 2005/121.

(b) for “20(6)” substitute “20(1)(a) and (b) and (6)”.

*LEWIS MACDONALD*

Authorised to sign by the Scottish Ministers

St Andrew's House,  
Edinburgh  
8th March 2006

## **EXPLANATORY NOTE**

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

These Regulations amend the National Health Service (Dental Charges) (Scotland) Regulations 2003 (“the Regulations”) which provide for the making and recovery of charges in respect of the supply of dental appliances under the National Health Service and in respect of the provision of dental treatment under general dental services or in accordance with pilot schemes.

Regulation 2 amends regulation 3 of the Regulations to exempt oral health assessments and dental examinations carried out on or after 1st April 2006 from a charge to be made and recovered in respect of the provision of services as part of general dental services or personal dental services provided in accordance with pilot schemes.

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**£3.00**

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