
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 33

The National Health Service (General Dental Services) (Scotland) Amendment Regulations 2010

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

2.—(1) The National Health Service (General Dental Services) (Scotland) Regulations 1996⁽¹⁾ are amended as follows.

(2) In regulation 16(3) (transfer of continuing care and capitation arrangements)⁽²⁾ omit “(including any such arrangement which has been extended under paragraph 8 or 9 of Schedule 1)”.

(3) In Schedule 1—

- (a) at paragraph 6(3) (emergency cover) omit “lapses or”;
- (b) at paragraph 7(4) (repair or replacement of restorations)⁽³⁾ omit “lapses or”;
- (c) for paragraph 8 (duration and extension of a continuing care arrangement)⁽⁴⁾ substitute—

“Duration of a continuing care arrangement

8. A continuing care arrangement—

- (a) may be terminated by the dentist or the Health Board in accordance with paragraph 11;
- (b) shall terminate where—
 - (i) the patient enters into a continuing care arrangement with another dentist;
 - (ii) the patient enters into an arrangement with the dentist or another dentist whereby the whole of the care and treatment which might have otherwise been provided under the continuing care arrangement is to be provided privately; or
 - (iii) the dentist is suspended by direction of the Tribunal and the Health Board does not within the period of one month beginning with the date of the Tribunal’s direction arrange for it to be transferred to another dentist under regulation 16.”;
- (d) for paragraph 9 (duration and extension of a capitation arrangement)⁽⁵⁾ substitute—

“Duration of a capitation arrangement

9. A capitation arrangement—

(1) [S.I. 1996/177](#).

(2) As relevantly amended by [S.S.I. 1999/51](#) and [2000/188](#).

(3) As relevantly amended by [S.I. 1998/2224](#).

(4) As relevantly amended by [S.I. 1996/2060](#) and by [S.S.I. 1999/51](#), [2006/137](#) and [2009/96](#).

(5) As relevantly amended by [S.I. 1996/2060](#) and by [S.S.I. 1999/51](#), [2006/137](#) and [2009/96](#).

- (a) may be terminated by the dentist or the Health Board in accordance with paragraph 11;
- (b) shall terminate where—
 - (i) the patient enters into a capitation arrangement with another dentist;
 - (ii) the patient enters into an arrangement with the dentist or another dentist whereby the whole of the care and treatment which might otherwise have been provided under the capitation arrangement is to be provided privately;
 - (iii) the patient attains the age of 18; or
 - (iv) the dentist is suspended by direction of the Tribunal and the Health Board does not within the period of one month beginning with the date of the Tribunal’s direction arrange for it to be transferred to another dentist under regulation 16.”; and
- (e) omit paragraph 10 (lapse of a continuing care or capitation arrangement).