
STATUTORY INSTRUMENTS

1991 No. 580

**NATIONAL HEALTH SERVICE,
ENGLAND AND WALES**

**The National Health Service (Dentists'
Remuneration-Special Arrangement) Order 1991**

<i>Made</i>	- - - -	<i>10th March 1991</i>
<i>Laid before Parliament</i>		<i>11th March 1991</i>
<i>Coming into force</i>	- -	<i>1st April 1991</i>

The Secretary of State for Health, in exercise of powers conferred by sections 103(1) and 126(4) of the National Health Service Act 1977(1) and of all other powers enabling him in that behalf, hereby makes the following Order:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the National Health Service (Dentists' Remuneration—Special Arrangement) Order 1991 and shall come into force on 1st April 1991.

(2) In this Order, any reference to a numbered article is a reference to the article bearing that number in this Order and any reference in an article to a numbered paragraph is a reference to the paragraph bearing that number in that article.

Function conferred on Dental Practice Board

2.—(1) Subject to paragraph (2), the Dental Practice Board shall have the function of paying remuneration to any person in respect of general dental services provided by him.

(2) Paragraph (1) shall not apply to remuneration which falls to be paid by a Family Health Services Authority pursuant to regulation 24(5) of the National Health Service (General Dental Services) Regulations 1973(2) (approval and payments).

(1) 1977 c. 49; section 126(4) has been amended by the National Health Service and Community Care Act 1990 (c. 19), section 65(2).
(2) S.I.1973/1468; relevant amending instruments are S.I. 1974/53, 1990/1638 and S.I. 1991/581. By section 2(1) of the National Health Service and Community Care Act 1990 (c. 19), references in the Regulations to a Family Practitioner Committee are to be construed as references to a Family Health Services Authority.

Transitional provisions

3.—(1) Any right or liability subsisting immediately before 1st April 1991 of a Family Health Services Authority to pay any of a person’s relevant remuneration to some other person shall instead be a right or liability of the Dental Practice Board.

(2) Article 2(1) shall not apply in any case to which regulation 14(1) of the National Health Service (Dental Services) (Miscellaneous Amendments) Regulations 1991(3) (transitional provisions) applies.

(3) In paragraph (1) “relevant remuneration” means remuneration the function of paying which becomes under this Order a function of the Dental Practice Board.

Signed by authority of the Secretary of State for Health.

10th March 1991

Hooper
Parliamentary Under-Secretary of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Order)

This Order confers on the Dental Practice Board the function of paying remuneration to dentists who provide general dental services (article 2(1)) subject to the retention by Family Health Services Authorities of the function of paying salaried dentists and incentive scheme allowances (article 2(2)).

Article 3(1) provides for the consequent transfer of rights and liabilities in respect of deductions from, and assignment of, payment for the benefit of third parties. Article 2(1) does not apply in any case where, before 1st April 1991, the Dental Practice Board has authorised a Family Health Services Authority to pay a dentist's remuneration and the Authority has not paid that remuneration by that date (article 3(3)).