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STATUTORY INSTRUMENTS

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**1996 No. 2051**

**NATIONAL HEALTH SERVICE,  
ENGLAND AND WALES**

**The National Health Service (General Dental  
Services) Amendment (No. 2) Regulations 1996**

<i>Made</i>	- - - -	<i>5th August 1996</i>
<i>Laid before Parliament</i>		<i>6th August 1996</i>
<i>Coming into force</i>	- -	<i>1st September 1996</i>

The Secretary of State for Health, in exercise of powers conferred on him by sections 35(1), 36(1), and 126(4) of the National Health Service Act 1977<sup>(1)</sup> and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

**Citation and commencement**

1. These Regulations may be cited as the National Health Service (General Dental Services) Amendment (No. 2) Regulations 1996 and shall come into force on 1st September 1996.

**Amendment of the National Health Service (General Dental Services) Regulations 1992**

2.—(1) Schedule 1 to the National Health Service (General Dental Services) Regulations 1992<sup>(2)</sup> (terms of service for dentists) shall be amended as follows.

(2) In paragraph 4 (a continuing care arrangement), in sub-paragraph (3), after “sub-paragraph (2) (c)” there shall be inserted “(and also in paragraph 5(2)(c))”.

(3) In paragraph 5 (a capitation arrangement), for head (c) of sub-paragraph (2) there shall be substituted—

“(c) the care and treatment which is to be provided includes any of the items of treatment mentioned in paragraph 4(3).”.

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- (1) 1977 c. 49; see section 128(1) as amended by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 26(2)(g) and (i), for the definitions of “prescribed” and “regulations”. Section 35(1) was substituted by S.I. 1985/39, article 7(9); and amended by the Health Authorities Act 1995 (c. 17) (“the 1995 Act”), Schedule 1, paragraph 24. Section 36(1) was so numbered by the Health and Social Security Act 1984 (c. 48), Schedule 3, paragraph 5(1); and amended by S.I. 1981/432, article 3(3)(a); by S.I. 1985/39, article 7(10); by the Health and Medicines Act 1988 (c. 49), Schedule 2, paragraph 4; by the 1990 Act, section 24; and by the 1995 Act, Schedule 1, paragraph 25(a). Section 126(4) was amended by the 1990 Act, section 65(2).
- (2) S.I. 1992/661; the relevant amending instrument is S.I. 1995/3092.

(4) In paragraph 8 (duration and extension of a continuing care arrangement), for sub-paragraph (1) there shall be substituted—

“(1) A continuing care arrangement shall lapse at the end of the 16th month beginning with the month in which—

(a) the patient was first accepted by the dentist under the continuing care arrangement; or

(b) it was extended, or was last extended, in accordance with sub-paragraph (3).”.

(5) In paragraph 9 (duration and extension of a capitation arrangement)—

(a) for sub-paragraph (1), there shall be substituted—

“(1) A capitation arrangement shall lapse at the end of the 16th month beginning with the month in which—

(a) the patient was first accepted by the dentist under the capitation arrangement; or

(b) it was extended, or was last extended, in accordance with sub-paragraph (3).”;  
and

(b) in sub-paragraph (3), “, but the arrangement may not be extended more than once in the same calendar year” shall be omitted.

### **Existing arrangements**

**3.** A continuing care arrangement or a capitation arrangement entered into before 1st September 1996 but still current on that date shall continue to have effect as if regulation 2(4) and 2(5) of these Regulations had not come into force, until such time as the arrangement lapses, is terminated or is extended.

(Department of Health)  
5th August 1996

*Stephen Dorrell*  
One of Her Majesty’s Principal Secretaries of  
State

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## EXPLANATORY NOTE

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

These regulations further amend the National Health Service (General Dental Services) Regulations 1992 ([S.I. 1992/661](#)). They reduce from 2 years to 15 months the period of all continuing care arrangements starting or extended on or after 1st September 1996. They also provide for the period of capitation arrangements, starting or extended on or after 1st September 1996, to be 15 months.

Regulation 2(3) makes provision, equivalent to that relating to continuing care arrangements, that the dentist shall provide a new treatment plan if during the currency of a current capitation arrangement the care and treatment given to a patient includes a specified item of treatment.