

2001 No. 3963

NATIONAL HEALTH SERVICE, ENGLAND

**The National Health Service (General Dental Services)
Amendment (No. 7) Regulations 2001**

Made - - - - - 10th December 2001

Laid before Parliament 11th December 2001

Coming into force - - - 1st January 2002

The Secretary of State for Health, in exercise of the powers conferred upon him by sections 15(1), 35(1), 36(1) and (3) and 126(4) of the National Health Service Act 1977(a) and of all other powers enabling him in that behalf hereby makes the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the National Health Service (General Dental Services) Amendment (No. 7) Regulations 2001 and shall come into force on 1st January 2002.

(2) These regulations extend to England only.

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

2.—(1) The National Health Service (General Dental Services) Regulations 1992 (b) shall be amended in accordance with the following provisions of this Regulation.

(2) In regulation 2(1) (interpretation)—

- (a) the definition of “general anaesthesia list” is omitted; and
- (b) in the definition of “treatment” the words “general anaesthesia and” are omitted.

(3) In regulation 4(2) (dental list)—

- (a) at the end of sub-paragraph (b)(ii) the word “and” is inserted;
- (b) at the end of sub-paragraph (b)(iii) the words “; and” are omitted; and

(a) 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); and by the Health Act 1999 (c. 8) (“the 1999 Act”), Schedule 4, paragraph 38(2), for the definitions of “prescribed” and “regulations”. Section 15(1) was amended by the Health and Social Security Act 1984 (c. 48) (“the 1984 Act”), section 5(2); by the 1990 Act, section 12(1) and by the Health Authorities Act 1995 (c. 17) (“the 1995 Act”), Schedule 1, paragraph 6. Section 35(1) was substituted by S.I. 1985/39, article 7(9); amended by the 1995 Act, Schedule 1, paragraph 24 and by the Health and Social Care Act 2001 (c. 15) (“the 2001 Act”), section 22(2). Section 36(1) was so numbered by the 1984 Act, 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) and by the 2001 Act, section 22(3). Section 36(3) was inserted by the 1990 Act, section 24(3) and was amended by the 2001 Act, section 22(3). Section 126(4) was amended by the 1990 Act, section 65(2); and by the 1999 Act, Schedule 4, paragraph 37(6). As regards Wales, the functions of the Secretary of State under sections 15, 35, 36 and 126(4) of the 1977 Act were transferred to the National Assembly for Wales under the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), article 2 and Schedule 1 as amended by section 66(5) of the 1999 Act; these Regulations therefore extend only to England.

(b) S.I. 1992/661; relevant amending instruments are S.I. 1993/2209, 1993/3172, 1995/3092, 1998/1648, 2000/2459 and 2001/289.

- (c) head (iv) of sub-paragraph (b) is omitted.
- (4) Regulation 5D (general anaesthesia list) and regulation 5E (removal from or amendment of general anaesthesia list) are omitted.
- (5) In Schedule 1 (terms of services for dentists)—
 - (a) in paragraph 4(3)(g) the words “general anaesthesia or” are omitted;
 - (b) in paragraph 16(3)(c) the following words are omitted “wholly under general dental services or”;
 - (c) in paragraph 21, sub-paragraphs (1) and (4) are omitted;
 - (d) paragraph 33A is omitted; and
 - (e) paragraph 40 is omitted.

Signed by authority of the Secretary of State.

10th December 2001

Hazel Blears
Parliamentary Under Secretary of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations further amend the National Health Service (General Dental Services) Regulations 1992 (S.I. 1992/661) which regulate the terms on which general dental services are provided under the National Health Service Act 1977. The Regulations remove references to general anaesthesia which may no longer be provided under general dental services.

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