
STATUTORY INSTRUMENTS

2003 No. 1702

NATIONAL HEALTH SERVICE, ENGLAND

The National Health Service (General Dental Services) and (General Dental Services Supplementary List) Amendment Regulations 2003

<i>Made</i>	- - - -	<i>8th July 2003</i>
<i>Laid before Parliament</i>		<i>11th July 2003</i>
<i>Coming into force</i>	- -	<i>1st August 2003</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 35, 36, 37(1A), 43D and 126(4) of the National Health Service Act 1977(1) and all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the National Health Service (General Dental Services) and (General Dental Services Supplementary List) Amendment Regulations 2003 and shall come into force on 1st August 2003.

(2) These Regulations apply to England only.

(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 was amended by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), section 15(a); by the Dentists Act 1984 (c. 24); section 54(1) and Schedule 5, paragraph 8; by S.I. 1985/39, article 7(9); by the Health Authorities Act 1995 (c. 17) (“the 1995 Act”), section 2(1) and Schedule 1, Pt I paragraphs 1 and 24; by the National Health Service (Primary Care) Act 1997 (c. 46) (“the 1997 Act”), Schedule 2, paragraphs 70 and 72 and by the National Health Service Reform and Health Care Professions Act 2002 (c. 17) (“the 2002 Act”), Schedule 2, paragraph 9. Section 36 was amended by S.I. 1981/432, article 3(3)(a); by the Health and Social Security Act 1984 (c. 48), Schedule 3 paragraph 5; by the Health and Medicines Act 1988 (c. 26), (“the 1988 Act”), Schedule 2, paragraphs 1 and 4; by the 1990 Act, section 24; by the 1995 Act, Schedule 1, paragraphs 1 and 25; by the 1997 Act, Schedule 2, paragraphs 3, 12, 70 and 72; by the Health Act 1999 (c. 8) (“the 1999 Act”), section 93(3); by the Health and Social Care Act 2001 (c. 15) (“the 2001 Act”), sections 20, 22 and 23, and by the 2002, Act, Schedule 2, paragraph 10. Section 37(1A) was inserted by the 1988 Act, section 12(3). Section 126(4) was amended by the 1990 Act, section 65(2); by the 1999 Act, Schedule 4, paragraph 37(6) and by the 2001 Act, Schedule 5, paragraph 5(13)(b). As regards Wales, the functions of the Secretary of State under section 29 and 126(4) of the 1977 Act are transferred to the National Assembly for Wales under article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672; section 68 of the 2001 Act provides that Schedule 1 shall be construed so as to include the amendments made by that Act to the 1977 Act, which is section 43D; these Regulations therefore extend only to England.

Amendment of the General Dental Services Regulations

- 2.** In the National Health Service (General Dental Services) Regulations 1992⁽²⁾—
- (a) in regulation 19(1), in column (2) of line VI of the Table (statement of dental remuneration), for “Maternity payments” there shall be constituted “Maternity, paternity and adoption leave payments”; and
 - (b) in Part II of Schedule 4 (prior approval treatment), in each of paragraphs 1 and 2, for “£375” there shall be substituted “£390”.

Amendment of the General Dental Services Supplementary List Regulations

- 3.** In the National Health Service (General Dental Services Supplementary List) and (General Dental Services) Amendment Regulations 2003⁽³⁾ to “to his knowledge” shall be deleted—
- (a) in regulation 4(5), in the first place where it appears; and
 - (b) in regulation 9(2), in the first place where it appears.

8th July 2003

Rosie Winterton
Minister of State,
Department of Health

⁽²⁾ S.I. 1992/661; relevant amendments are S.I. 2000/2459, 2001/1677 and by S.I. 2002/558.
⁽³⁾ S.I. 2003/250.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the National Health Service (General Dental Services) Regulations 1992 (“the principal Regulations”), which regulate the terms upon which general dental services are provided under the National Health Service Act 1977.

These Regulations amend the Table in regulation 19(1) of the principal Regulations to add paternity payments and adoption leave payments to matters in relation to which a determination on dental remuneration may be made.

They also amend Schedule 4 to the principal Regulations to increase (from £375 to £390, an increase of 4%) the amount specified therein as the maximum cost, or likely cost, of care and treatment which a dentist may undertake without seeking the prior approval of the Dental Practice Board.

In addition, they amend the National Health Service (General Dental Services Supplementary List) and (General Dental Services) Amendment Regulations 2003 to remove the words “to his knowledge” at two places where they are unnecessary.