

SCHEDULE

CONSEQUENTIAL AND TRANSITIONAL PROVISIONS

Transitional provision: the Primary Ophthalmic Services Amendment, Transitional and Consequential Provisions Regulations 2008, and the General Dental Services, Personal Dental Services and Abolition of the Dental Practice Board Transitional and Consequential Provisions Order 2006

- 8.—(1) This sub-paragraph applies to a complaint which—
- (a) was made before 1st April 2009; and
 - (b) falls to be investigated by a Primary Care Trust under—
 - (i) regulation 4(2) or 5(2) of the Primary Ophthalmic Services Amendment, Transitional and Consequential Provisions Regulations 2008(1); or
 - (ii) article 5(5), 6(2), 21(2) or 22(2) of the General Dental Services, Personal Dental Services and Abolition of the Dental Practice Board Transitional and Consequential Provisions Order 2006(2).
- (2) Where sub-paragraph (1) applies to a complaint, the investigation of the complaint shall be carried out in accordance with the 2004 Regulations as if—
- (a) notwithstanding their revocation, the 2004 Regulations, except for regulations 14 to 22 of those Regulations, continued to have effect;
 - (b) in paragraph (4) of regulation 13, the words “Health Service Commissioner under the Health Service Commissioners Act 1993” were substituted for the words “Healthcare Commission in accordance with regulation 14”; and
 - (c) any request made under regulation 14 before 1st April 2009 for the Healthcare Commission to consider the complaint shall have effect as a request to the Health Service Commissioner to consider the complaint under the 1993 Act.

(1) S.I. 2008/1700.

(2) S.I. 2006/562.