
WELSH STATUTORY INSTRUMENTS

2006 No. 947 (W.96)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (General Dental Services Contracts and Personal Dental Services Agreements) (Amendment) (Wales) Regulations 2006

Made - - - - *29 March 2006*
Coming into force - - *1 April 2006*

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred by sections 28E, 28O and 126(4) of the National Health Service Act 1977(1).

Title, commencement and application

1.—(1) The title of these Regulations is the National Health Service (General Dental Services Contracts and Personal Dental Services Agreements) (Amendment) (Wales) Regulations 2006 which come into force on 1st April 2006.

(2) These Regulations apply in relation to Wales.

Interpretation

2. In these Regulations-

“GDS Regulations” means the National Health Service (General Dental Services Contracts) (Wales) Regulations 2006(2); and

“PDS Regulations” means the National Health Service (Personal Dental Services Agreements) (Wales) Regulations 2006(3).

(1) 1977 c. 49; section 28E is inserted by section 22(1) of the National Health Service (Primary Care) Act 1997 (c. 46), and amended by the Health Act 1999 (c. 8) (“the 1999 Act”), section 65(2) and Schedule 5; the Health and Social Care Act 2001 (c. 15) (“the 2001 Act”), section 27(5)(a); the National Health Service Reform and Health Care Professions Act 2002 (c. 17) (“the 2002 Act”), section 4(3) and Schedule 3, paragraph 8; and the Health and Social Care (Community Health and Standards) Act 2003 (c. 43) (“the 2003 Act”), section 177(7) to (11). Section 28O is inserted by section 172(1) of the 2003 Act. Section 126(4) is amended by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 65(2); the 1999 Act, Schedule 4, paragraph 37(6); and the 2001 Act, Schedule 5, paragraph 5(13)(b). See also section 128(1) of the National Health Service Act 1977, as amended by section 26(2)(g) and (i) of the 1990 Act, for the definitions of “prescribed” and “regulations”. As regards Wales, the functions of the Secretary of State under sections 28E and 28O of the National Health Service Act 1977 were transferred to Wales under S.I. 1999/672, article 2 and Schedule 1, as amended by the 1999 Act, section 66(5) and as read with section 40(1) of the 2002 Act and section 197(1) of the 2003 Act.

(2) S.I.2006/ 490 (W.59).

(3) S.I. 2006/ 489 (W.58).

Amendment to the GDS and PDS Regulations

3. In regulation 2(1) of the GDS Regulations and regulation 2(1) of the PDS Regulations (interpretation), in paragraph (c) of the definition of “family member”, omit the word “registered”.

Amendment to the GDS Regulations

4. In paragraph 3(4) of Schedule 2 to the GDS Regulations (units of orthodontic activity) for the figure “21.0” there will be substituted “23.0”.

Amendment to the PDS Regulations

5.—(1) In paragraph 69(3)(b) of Schedule 3 to the PDS Regulations (termination by the Relevant Body on grounds of suitability etc.) for the words “the corporation” there will be substituted “that body”.

(2) In paragraph 13 of Schedule 4 to the PDS Regulations (patient information leaflet) for the words “the dental” there will be substituted “dental services for the”.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(4) 28 March 2006

D. Elis-Thomas
The Presiding Officer of the National Assembly

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (General Dental Services Contracts) (Wales) Regulations 2006 (“the GDS Regulations”) and the National Health Service (Personal Dental Services Agreements) (Wales) Regulations 2006 (“the PDS Regulations”).

Regulation 3 amends the definition of family member in the GDS Regulations and PDS Regulations by removing the reference to registered in relation to a patient as patients will no longer be registered with a dental practitioner.

Regulation 4 corrects an error in paragraph 3(4) of Schedule 2 to the GDS Regulations in respect of the units of orthodontic activity provided in respect of a patient aged 18 years or over so as to refer to 23 units of orthodontic activity.

Regulation 5 corrects a reference in paragraph 69(3)(b) of Schedule 3 to the PDS Regulations so as to refer to “that body”. It also corrects a reference in paragraph 13 of Schedule 4 so as to refer to “dental services” in respect of the arrangements that fall outside normal surgery hours.

A Regulatory Appraisal has been prepared in respect of the National Health Service (General Dental Services Contracts) (Wales) Regulations 2006 and the National Health Service (Personal Dental Services Agreements) (Wales) Regulations 2006 and copies have been placed in the library of the National Assembly for Wales.

A copy of the Regulatory Appraisal can be obtained from Community Primary Care and Health Services Policy Directorate, National Assembly for Wales, Cathays Park, Cardiff CF10 3NQ.