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SCOTTISH STATUTORY INSTRUMENTS

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**2002 No. 268**

**NATIONAL HEALTH SERVICE**

**The National Health Service (General Dental Services)  
(Scotland) Amendment (No. 2) Regulations 2002**

<i>Made</i>	- - - -	<i>5th June 2002</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>7th June 2002</i>
<i>Coming into force</i>	- -	<i>1st August 2002</i>

The Scottish Ministers, in exercise of the powers conferred by sections 2(5), 25(2), 105(7) and 108(1) of the National Health Service (Scotland) Act 1978(1) and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the National Health Service (General Dental Services) (Scotland) Amendment (No. 2) Regulations 2002 and shall come into force on 1st August 2002.

**Amendment of the National Health Service (General Dental Services) (Scotland) Regulations 1996**

2. In regulation 22(1) (statement of dental remuneration) of the National Health Service (General Dental Services) (Scotland) Regulations 1996(2) in the table—

- (a) in column 2, for “Allowance for practice improvements” there is substituted “Allowances and grants for practice improvements”; and
- (b) at the end of columns 1 and 2 respectively there is inserted “XIII” and “Recruitment and retention allowances”.

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(1) 1978 c. 29; section 25(2) was amended by the Health and Medicines Act 1988 (c. 49) (“the 1988 Act”), Schedule 2, paragraph 11, by the National Health Service and Community Care Act 1990 (c. 19), section 40(2) and Schedule 9, paragraph 19(6) and by the National Health Service (Primary Care) Act 1997 (c. 46), Schedule 2, paragraph 43 and Schedule 3 and was extended by the 1988 Act, section 17; section 105(7) which contains provisions relevant to the making of regulations, was amended by the Health Services Act 1980 (c. 53), Schedule 6, paragraph 5 and Schedule 7, by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 9, paragraph 24, and by the Health Act 1999 (c. 8) (“the 1999 Act”), Schedule 4, paragraph 60; section 108(1) contains definitions of “prescribed” and “regulations” relevant to the exercise of the statutory powers under which these Regulations are made. See section 66(1) of the 1999 Act in relation to any provision of that Act being taken to be a pre-commencement enactment within the meaning of the Scotland Act 1998 (c. 46). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(2) S.I.1996/177; relevant amending instruments are S.S.I. 2000/352, 2001/368 and 2002/99.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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St Andrew's House, Edinburgh  
6th June 2002

*MALCOLM CHISHOLM*  
A member of the Scottish Executive

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## EXPLANATORY NOTE

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

These Regulations amend the National Health Service (General Dental Services) (Scotland) Regulations 1996, which make arrangements under which dentists provide general dental services as part of the National Health Service in Scotland.

Regulation 2 amends the table in regulation 22 of the 1996 Regulations.

Paragraph (a) of that regulation substitutes a new title for determination X, changing it from “Allowance for practice improvements” to “Allowances and grants for practice improvements”. This will enable grants to be made towards practice improvements as well as the making of allowances for such improvements.

Paragraph (b) of that regulation adds a new determination XIII (Recruitment and retention allowances) to the table. Under this determination allowances will be payable to certain categories of practitioner in order to provide incentives for the recruitment and retention of dentists providing general dental services in Scotland.