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STATUTORY INSTRUMENTS

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**1992 No. 1528 (S. 144)**

**NATIONAL HEALTH SERVICE, SCOTLAND**

**The National Health Service (General Dental Services)  
(Scotland) Amendment (No.2) Regulations 1992**

<i>Made</i>	- - - -	<i>25th June 1992</i>
<i>Laid before Parliament</i>		<i>26th June 1992</i>
<i>Coming into force</i>	- -	<i>8th July 1992</i>

The Secretary of State, in exercise of the powers conferred on him by sections 25(1) and (2), 105(7) and 108(1) of the National Health Service (Scotland) Act 1978((1)) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the National Health Service (General Dental Services) (Scotland) Amendment (No. 2) Regulations 1992 and shall come into force on 8th July 1992.

(2) In these Regulations, the “principal Regulations” means the National Health Service (General Dental Services) (Scotland) Regulations 1974((2)).

**Amendment of Schedules to the principal Regulations**

2.—(1) In Part III of Schedule 1 to the principal Regulations (terms of service occasional treatment), in paragraph 16(2)—

(a) head (a) shall be omitted;

(b) for head (j) there shall be substituted the following:—

“(j) palliative treatment that is immediately necessary (including the treatment of sensitive cementum or dentine, the stoning and smoothing of the surface of a tooth, the provision of a temporary crown or the removal of the fractured portion

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- (1) 1978 c. 29; section 25(2) was extended by the Health and Medicines Act 1988 (c. 49), section 17; section 25(2)(b) was substituted by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), Schedule 9, paragraph 19(6) and was further amended by the 1990 Act, section 40(2); section 105(7) was amended by the Health Services Act 1980 (c. 53), Schedule 6, paragraph 5 and Schedule 7 and by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 9, paragraph 24; section 108(1) contains definitions of “prescribed” and “regulations” relevant to the exercise of the statutory powers under which these Regulations are made.
- (2) S.I. 1974/505; relevant amending instruments are S.I. 1990/1772 and 2497, 1991/1349 and 1992/641.

of a natural crown where its dissection from supporting soft tissues is necessary prior to the provision of a permanent restoration);” and

(c) in head (q), for the words “heads (a) to (j), (m) and (mm)” there are substituted the words “heads (aa) to (mm)”.

(2) In Part IV of Schedule 1 to the principal Regulations (additional terms of service for all dentists), in paragraph 19(1)(a), after the word “reflexes;” the word “and” shall be substituted for the word “or”.

(3) In Part II of Schedule 1C to the principal Regulations (prior approval treatment)—

(a) in paragraphs 1 and 2 for “ pound;600” there shall be substituted “ pound;200”; and

(b) in paragraph 3(b) for the words “and retention” there shall be substituted the words “, retention and the extraction of any tooth for orthodontic purposes”.

### **Application of the Regulations**

3. The amendments made by regulation 2(3) of these Regulations apply only in relation to a course of care and treatment or to any orthodontic care and treatment commenced on or after 8th July 1992.

St Andrew’s House,  
Edinburgh  
25th June 1992

*Fraser of Carmyllie*  
Minister of State, Scottish Office

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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 1974 (“the principal Regulations”) which provide for the arrangements under which general dental services are provided under Part II of the National Health Service (Scotland) Act 1978.

Schedule 1 to the principal Regulations is amended to remove an examination from the items of treatment which may be provided as occasional treatment and provides for an amendment to the scope of palliative treatment in relation to crowns (regulation 2(1)). Regulation 2(2) makes a minor amendment to paragraph 19 of Schedule 1.

Schedule 1C to the principal Regulations is amended to reduce (from pound;600 to pound;200) the amount specified as the maximum cost or likely cost of care and treatment or orthodontic care and treatment which a dentist may undertake without seeking the prior approval of the Scottish Dental Practice Board (regulation 2(3)(a)), and to provide that the cost of the extraction of any tooth for orthodontic purposes is not to be included in the cost of care and treatment for the purposes of prior approval (regulation 2(3)(b)). These amendments apply only in relation to care and treatment commenced on or after 8th July 1992.