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STATUTORY INSTRUMENTS

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**2006 No. 562**

**The General Dental Services, Personal Dental Services and Abolition of the Dental Practice Board Transitional and Consequential Provisions Order 2006**

**PART 5**

**TRANSITIONAL PROVISIONS: ABOLITION OF THE BOARD**

**Functions of the Board in respect of personal dental services**

**41.**—(1) In respect of the provision of personal dental services on or before 31st March 2006, the functions of the Board which are exercisable as a consequence of—

- (a) regulation 2 (information, statistics, reports etc);
- (b) regulation 4 (overpayments); or
- (c) regulation 5 (superannuation),

of the Dental Practice Board (Personal Dental Services) Regulations 1998<sup>(1)</sup> and article 28, notwithstanding the revocation of those Regulations, are to be exercised by the NHS Business Services Authority in accordance with those Regulations and the Directions to the Dental Practice Board Concerning Functions relating to Personal Dental Services Pilot Schemes<sup>(2)</sup> given by the Secretary of State as they had effect on 31st March 2006 and as if the reference in those Regulations and Directions to the Board were a reference to the NHS Business Services Authority.

(2) For the purposes of paragraph (1), regulation 6 of the Dental Practice Board (Personal Dental Services) Regulations 1998 (monitoring dental treatment) shall, notwithstanding the revocation of those Regulations, continue to have effect in respect of treatment or a description of treatment carried out on or before 31st March 2006 as if the reference to the Board in that regulation were a reference to the NHS Business Services Authority.

(3) The ancillary functions which relate to the functions specified in paragraph (1) and which are referred to in, or are a consequence of, directions 14(b), 17, 23(a) and 25(b) of, and paragraph 12 of Schedule 1 to, the PDS Directions shall be exercisable by the NHS Business Services Authority.

(4) In relation to the terms of a pilot scheme agreement which give effect to the directions mentioned in paragraph (3), any reference to the Board in that agreement shall be read as a reference to the NHS Business Services Authority for the purposes of the exercise of functions by that Authority.

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<sup>(1)</sup> [S.I. 1998/2223](#) amended by [S.I. 2002/2469](#).

<sup>(2)</sup> The Directions to the Dental Practice Board Concerning Functions Relating To Personal Dental Services Pilot Schemes were made on 11th September 1998 and are available on [www.dh.gov.uk](http://www.dh.gov.uk).