

SCHEDULES

SCHEDULE 4

AMENDMENTS OF THE NATIONAL HEALTH SERVICE ACT 2006

PART 5

DENTAL SERVICES

- 42 (1) Section 99 (duty relating to primary dental services) is amended as follows.
- (2) For subsection (1) substitute—
- “(1) The Board must, to the extent that it considers necessary to meet all reasonable requirements, exercise its powers so as to secure the provision of primary dental services throughout England.
- (1A) Arrangements made for the purposes of subsection (1) may include arrangements for the performance of a service outside England.”
- (3) Omit subsection (2).
- (4) In subsection (3)—
- (a) for “Each Primary Care Trust” substitute “The Board”, and
- (b) for “for which it makes provision” substitute “for which provision is made”.
- (5) Omit subsection (4).
- (6) For the cross-heading preceding that section substitute “Duty of the Board in relation to primary dental services”.
- 43 (1) Section 100 (general dental services contracts: introductory) is amended as follows.
- (2) In subsection (1), for “A Primary Care Trust” substitute “The Board”.
- (3) In subsections (3) and (4), for “the Primary Care Trust” substitute “the Board”.
- (4) In subsection (3), in paragraph (a), after “dental services” insert “or services which are to be performed outside England”.
- 44 In section 102 (persons eligible to enter into general dental services contracts), in subsection (1), for “A Primary Care Trust” substitute “The Board”.
- 45 In section 103 (general dental services contracts: payments), in subsection (3)(d), for “a Primary Care Trust” substitute “the Board”.
- 46 In section 104 (general dental services contracts: required terms), in subsection (3) for “a Primary Care Trust” substitute “the Board”.
- 47 (1) Section 106 (persons performing primary dental services) is amended as follows.
- (2) In the following provisions, for “a Primary Care Trust” substitute “the Board”—

Status: This is the original version (as it was originally enacted).

- (a) subsection (1), in each place it occurs,
 - (b) subsection (3)(j),
 - (c) subsection (4)(a), (b) and (d), and
 - (d) subsection (6)(a) and (b).
- (3) In subsection (2), for paragraph (b) substitute—
- “(b) the Board is responsible for a dental service if it secures its provision by or under any enactment.”
- (4) In subsection (3), in paragraph (c), omit the words from “as to” to “, and”.
- 48 (1) Section 107 (arrangements by Strategic Health Authorities for the provision of primary dental services) is amended as follows.
- (2) For subsection (1) substitute—
- “(1) The Board may make agreements, other than general dental services contracts, under which primary dental services are provided.”
- (3) Omit subsection (7).
- (4) For the title to that section substitute “Arrangements by the Board for the provision of primary dental services”.
- (5) The provision which may be made by virtue of section 304(10)(a) of this Act in an order under section 306 of this Act providing for the commencement of this paragraph includes, in particular, provision enabling the National Health Service Commissioning Board to direct Primary Care Trusts to exercise its functions under section 107 pending the commencement of section 34 of this Act.
- 49 (1) Section 108 (participants in section 107 arrangements) is amended as follows.
- (2) In subsection (1)—
- (a) for “A Strategic Health Authority” substitute “The Board”, and
 - (b) omit paragraph (g).
- (3) In subsection (3), in the definition of “NHS employee”, in paragraph (b), omit “Primary Care Trust or”.
- 50 (1) Section 109 (regulations about section 107 arrangements) is amended as follows.
- (2) In subsection (2), for “Strategic Health Authorities” substitute “the Board”.
- (3) In subsection (3), after paragraph (c) insert—
- “(ca) make provision with respect to the performance outside England of services to be provided in accordance with section 107 arrangements,”.
- (4) In subsection (6), for “a Primary Care Trust” substitute “the Board”.
- 51 Omit section 110 (transfer of liabilities relating to section 107 arrangements).
- 52 (1) Section 112 (assistance and support) is amended as follows.
- (2) In subsection (1), for “A Primary Care Trust” substitute “The Board”.
- (3) In subsection (2)—
- (a) for “a Primary Care Trust” substitute “the Board”, and

Status: This is the original version (as it was originally enacted).

- (b) for “the Primary Care Trust” substitute “the Board”.
- 53 (1) Section 113 (Local Dental Committees) is amended as follows.
- (2) In subsection (1), for the words from the beginning to “other Primary Care Trusts” substitute “The Board may recognise a committee formed for an area”.
- (3) In subsection (3)(b), for “the Primary Care Trust” substitute “the Board”.
- (4) In subsection (6), for “a Primary Care Trust” substitute “the Board”.
- (5) Omit subsection (7).
- (6) In subsection (10)—
- (a) for “A Primary Care Trust” substitute “The Board”, and
- (b) in paragraphs (a) and (b), for “the Primary Care Trust” substitute “the Board”.