



Health and Medicines Act 1988

1988 CHAPTER 49

Dental services, appliances and treatment and the Dental Estimates Board and Scottish Dental Estimates Board

12 The Dental Estimates Board and the Scottish Dental Estimates Board—change of name and extension of functions.

- (1) ^{F1}... the Scottish Dental Estimates Board shall be renamed as “the Scottish Dental Practice Board”, and—
 - (a) any enactment or instrument passed or made before the coming into force of this section shall have effect as if ^{F2}... for any reference to the Scottish Dental Estimates Board there were substituted a reference to the Scottish Dental Practice Board; and
 - (b) documents and forms printed or duplicated for use in connection with the performance of the functions of ^{F3}... the Scottish Dental Estimates Board may be used notwithstanding that they refer to [^{F4}that Board], such references being construed as references to ^{F5}... the Scottish Dental Practice Board.
- (2) Section 37 of the National Health Service Act 1977 shall be renumbered so as to become section 37(1) of that Act.
- (3) The following subsections shall be inserted—
 - (a) after the resulting subsection (1); and
 - (b) after section 4(1) of the National Health Service (Scotland) Act 1978—

“(1A) Regulations may empower the Dental Practice Board—

 - (a) to direct a dental practitioner to submit to the Board, in relation to treatment which he has carried out or contemplates carrying out or to a description of such treatment specified in the direction, such estimates and information and such radiographs, models or other items as may be prescribed; and
 - (b) to direct a dental practitioner not to carry out treatment, or a description of treatment specified in the direction, without first obtaining approval of an estimate from the Board.

Changes to legislation: Health and Medicines Act 1988, Section 12 is up to date with all changes known to be in force on or before 21 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(1B) If regulations include any such provision as is mentioned in subsection (1A)(b) above, regulations shall confer on a dental practitioner in whose case a direction such as is mentioned in that paragraph has been given a right of appeal against the direction to a prescribed person or body, but before making regulations conferring such a right the Secretary of State shall consult such organisations as appear to him to be representative of persons providing general dental services.

(1C) Regulations may be made authorising or requiring the Dental Practice Board to carry on any such additional activity relating to the provision of general dental services as may be prescribed and, without prejudice to the generality of this subsection, to conduct or commission surveys or other research relating to the provision of such services.”

F⁶(4)

F⁶(5)

Textual Amendments

- F1** Words in s. 12(1) repealed (1.4.2006 for E.) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), Sch. 11 para. 54(a), **Sch. 14 Pt. 4**; S.I. 2005/2925, arts. 10(2)(i), 11
- F2** Words in s. 12(1)(a) repealed (1.4.2006 for E.) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), Sch. 11 para. 54(b), **Sch. 14 Pt. 4**; S.I. 2005/2925, arts. 10(2)(i), 11
- F3** Words in s. 12(1)(b) repealed (1.4.2006 for E.) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), Sch. 11 para. 54(c)(i), **Sch. 14 Pt. 4**; S.I. 2005/2925, arts. 10(2)(i), 11
- F4** Words in s. 12(1)(b) substituted (1.4.2006 for E.) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), **Sch. 11 para. 54(c)(ii)**; S.I. 2005/2925, art. 10(2)(i)
- F5** Words in s. 12(1)(b) repealed (1.4.2006 for E.) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), Sch. 11 para. 54(c)(iii), **Sch. 14 Pt. 4**; S.I. 2005/2925, arts. 10(2)(i), 11
- F6** S. 12(4)(5) repealed (5.2.1994) by 1993 (c. 46), ss. 20, 22(4), Sch.3.

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 11 words repealed by [2005 asp 13 sch. 3](#)