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STATUTORY INSTRUMENTS

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**1995 No. 3200**

**The National Health Service (General Dental Services) (Scotland) Amendment Regulations 1995**

**Amendment of Schedule 1 to the principal Regulations**

**8.—(1)** Schedule 1 to the principal Regulations (terms of service for dentists) shall be amended as follows.

(2) In paragraph 8 (duration of a continuing care arrangement)—

(a) at the end of sub-paragraph (2)(b)(i) “or” shall be omitted; and

(b) at the end of sub-paragraph (2)(b)(ii) there shall be inserted—

“; or

(iii) the dentist is suspended by direction of the Tribunal and the Health Board does not within the period of one month beginning with the date of the Tribunal’s direction arrange for it to be transferred to another dentist under regulation 8.”.

(3) In paragraph 9 (duration and extension of capitation arrangement)—

(a) at the end of sub-paragraph (2)(b)(ii) “or” shall be omitted; and

(b) at the end of sub-paragraph (2)(b)(iii) there shall be inserted—

“; or

(iv) the dentist is suspended by direction of the Tribunal and the Health Board does not within the period of one month beginning with the date of the Tribunal’s direction arrange for it to be transferred to another dentist under regulation 8.”.

(4) In paragraph 37 (deputies and assistants)—

(a) in sub-paragraph (10), the words after “Health Board” shall be omitted and there shall be substituted the words “under section 25(2A) of the National Health Service (Scotland) Act 1978”(1); and

(b) after sub-paragraph (10) there shall be inserted the following sub-paragraph—

“(10A) A dentist shall not employ as a deputy or assistant for the purpose of the provision of general dental services any dentist—

(a) who, having been disqualified under section 29(3)(b) of the Act (or under any corresponding provision in force in England and Wales or Northern Ireland) from inclusion in the dental list of any Health Board (or, in England and Wales of an FHSA or in Northern Ireland of a Health and Social Services Board) is also the subject of a declaration under section 29(3)(c)(2) of the Act (or any corresponding provision in force in England and Wales or Northern Ireland) that he is not fit to be engaged in any capacity in the provision of general dental services; or

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(1) Sub-section (2A) of section 25 was inserted by S.I. 1981/432, article 4(3)(b).

(2) Section 29(3)(c) was inserted by section 7 of the National Health Service (Amendment) Act 1995.

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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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- (b) who is suspended by direction of the Tribunal, other than in a case falling within section 32B(3) of the Act.”.