
STATUTORY INSTRUMENTS

1996 No. 177

The National Health Service (General Dental Services) (Scotland) Regulations 1996

PART V

payments in consequence of suspension

Entitlement to payment

27.—(1) Payment shall be made as provided for by this Part of these Regulations to a dentist whose registration is suspended by an interim suspension order or by a direction or an order of the Health Committee.

(2) Subject to paragraph (3) no payment shall be made to a person—

- (a) whose registration has been suspended by a direction or order of the Health Committee once he has received payments in respect of 12 months' such suspension, whether in respect of the same or a previous period of such suspension, and whether or not those 12 months formed a continuous period;
- (b) in respect of any part of a period of suspension where, in the 2 years immediately preceding the suspension date he received no fees for the provision of general dental services.

(3) In calculating whether a person has received payment in respect of 12 months' suspension under paragraph (2)(a), no account shall be taken of any payment made in consequence of the suspension of his registration by a direction or order of the Health Committee more than five years previously.

(4) No payment shall be made to a person for any part of a period of suspension—

- (a) earlier than 8 weeks before the date on which an application for payment is received by the Health Board, unless that Board is satisfied that the lateness of the application is due to illness or other reasonable cause;
- (b) during which his name is not included in the dental list of any Health Board;
- (c) during which he is absent from the United Kingdom;
- (d) for which he is entitled to any benefit under a contract of insurance against the risk of the suspension of his registration or of the circumstances which led to it, or for which the Health Board is satisfied he could have been so entitled but for his failure to enter into such a contract or to pay any premium due under such a contract;
- (e) during which he is serving a term of imprisonment;
- (f) during which he is remanded in custody in connection with a criminal offence for which he is (then or later) convicted;
- (g) during which he is in breach of any condition of bail in connection with a criminal offence for which he is (then or later) convicted; or
- (h) during which he is suspended by direction of the Tribunal.