SCOTTISH STATUTORY INSTRUMENTS

# 2004 No. 101

# NATIONAL HEALTH SERVICE

## The National Health Service (Dental Charges) (Scotland) Amendment Regulations 2004

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| *Made - - - -* | *8th March 2004* |
| *Laid before the Scottish Parliament - - - -* | *9th March 2004* |
| *Coming into force - -* | *1st April 2004* |

The Scottish Ministers, in exercise of the powers conferred by sections 70(1A), 71(1), 71A, 74, 105(7) and 108(1) of, and paragraph 3 of Schedule 11 to, the National Health Service (Scotland) Act 1978(**1**) and of all other powers enabling them in that behalf, hereby make the following Regulations:

### Citation commencement and interpretation

**1.**—(1) These Regulations may be cited as the National Health Service (Dental Charges) (Scotland) Amendment Regulations 2004 and shall come into force on 1st April 2004.

(2) In these Regulations "the principal Regulations" means the National Health Service (Dental Charges) (Scotland) Regulations 2003(**2**).

### Amendment of the principal Regulations

**2.**—(1) The principal Regulations are amended in accordance with paragraphs (2) to (8) below.

(2) In regulation 1(2) (interpretation), omit the definition of "NHS trust".

(3) Subject to regulation 3 below, in regulation 4(5) (calculation of charges), for "£372" in both places where it occurs substitute "£378".

(4) In regulation 4(4) (calculation of charges)–

(a) in sub paragraph (b), omit "or NHS trust"; and

(**1**) 1978 (c. 29); section 70(1A) and 71A were inserted by, and section 71(1) was amended by the Health and Medicines Act 1988 (c. 49), section 11; section 74 was amended by the National Health Service and Community Care Act 1990 (c. 19) ("the 1990 Act"), Schedule 9, paragraph 19(12); section 105(7), which contains provisions relevant to the making of regulations, was amended by the Health Services Act 1980 (c. 53) ("the 1980 Act"), Schedule 6, paragraph 5 and Schedule 7, paragraph 24 and by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 9, paragraph 24 and the Health Act 1999 (c. 8), Schedule 4, paragraph 60; section 108(1) contains definitions of "prescribed" and "regulations" relevant to the exercise of the statutory powers under which these Regulations are made. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(**2**) S.S.I. 2003/158.