WELSH STATUTORY INSTRUMENTS

2011 No. 2686 (W.288)

PUBLIC HEALTH, WALES

The Private Dentistry (Wales) (Amendment) Regulations 2011

Made - - - -	*6 November 2011*
Laid before the National Assembly for Wales - -	*9 November 2011*
Coming into force - -	*1 January 2012*

The Welsh Ministers, in exercise of powers conferred by sections 12(2), 16(3), 22(2)(d), 25(1), 33 and 42(1) of the Care Standards Act 2000(**1**) and having consulted such persons as they consider appropriate(**2**), make the following Regulations.

Title, commencement, application and interpretation

1.—(1) The title of these Regulations is the Private Dentistry (Wales) (Amendment) Regulations 2011 and they come into force on 1 January 2012.

(2) These Regulations apply in relation to Wales.

(3) In these Regulations "the 2008 Regulations" ("*Rheoliadau 2008*") means the Private Dentistry (Wales) Regulations 2008(**3**).

Amendment of the 2008 Regulations

2.—(1) The 2008 Regulations are amended in accordance with the provisions of this regulation.

(2) In regulation 2 (Interpretation) in the definition of "the Act" ("*y Ddeddf*") after the words "Care Standards Act 2000" insert the words "as amended from time to time".

(3) In regulation 3 (Prescribed persons)—

(a) in paragraph (1) for "A dentist" substitute "Subject to paragraph (3), a dentist";

(b) in paragraph (2) for "the modification specified in regulation 4" substitute "the modifications specified in regulations 4 and 4A";

(c) after paragraph (2) insert—

"(3) Paragraph (1) does not apply to a dentist who—

(**1**) 2000 c. 14. Functions of the National Assembly for Wales were transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).
(**2**) *See* section 22(9) of the Care Standards Act 2000 (c. 14) for the requirement to consult.
(**3**) S.I. 2008 No. 1976 (W.185).

(a) is on a specialist list of the dentists register, is employed to provide services in connection with that specialism in a health service hospital and provides dental services privately only in that hospital;

(b) provides dental services privately only in and for the purposes of a hospital in respect of which a person is registered under Part II of the Act; or

(c) provides dental services privately only under a vocational training contract and has made an application for registration under Part II of the Act which has not been withdrawn or finally disposed of within the meaning of regulation 23(3);

(d) in sub-paragraph (c) above "vocational training" has the same meaning as in regulation 28 of the National Health Service (Performers Lists) (Wales) Regulations 2004(**4**).".

(4) After regulation 4 insert—

"Modification of section 31 of the Act (Inspections by persons authorised by registration authority)

4A. Section 31(5)(a) has effect as if it read:

"is a medical practitioner, registered nurse or dentist; and"

(5) In the following regulations of the 2008 Regulations for £50 substitute £75—

(a) 5(1)(e);

(b) 10(2)(e); and

(c) 17.

(6) After regulation 16 insert—

"**Assessing and monitoring the quality of service provision including annual reports**

16A.—(1) The registered person must—

(a) regularly assess and monitor the quality of services provided against the requirements set out in these Regulations; and

(b) identify, assess and manage risks relating to the health, welfare and safety of patients and others.

(2) The registered person must send to the appropriate office of the registration authority, when requested to do so, a written annual assessment (referred to as the "annual report") setting out—

(a) the scope of the services provided in the period covered by the annual report and any anticipated changes to that scope; and

(b) how, and the extent to which, in the opinion of the registered person the requirements of paragraph (1) are being complied with, together with any plans that the registered person has for improving the standard of the services provided to patients with a view to ensuring their health and welfare.

(3) The registered person must take all reasonable steps to ensure that the annual report is not misleading or inaccurate.

(4) The registered person must supply the annual report to the appropriate office of the registration authority within 28 days of receiving a request under paragraph (2).".

(**4**) S.I 2004 No. 1020 (W.117).