

NATIONAL ASSEMBLY FOR WALES

SUBORDINATE LEGISLATION

2006 No. 33

THE NATIONAL HEALTH SERVICE ACT 1977

**The Primary Dental Services (Miscellaneous Amendments
Relating to Finance) (Wales) Directions 2006**

<i>Made</i>	- - - -	<i>27 April 2006</i>
<i>Coming into force</i>	- -	<i>28 April 2006</i>

The National Assembly for Wales makes the following Directions in exercise of the powers conferred by sections 28E(3A) and (3B), 28N and 126(4) of the National Health Service Act 1977(1).

In accordance with, and in so far as is required by, section 28N(4) of the 1977 Act, it has consulted both with the bodies appearing to it to be representative of persons to whose remuneration these Directions relate and with such other persons as it thinks appropriate.

Title, commencement, taking effect and interpretation

1.—(1) The title of these Directions is the Primary Dental Services (Miscellaneous Amendments Relating to Finance) (Wales) Directions 2006.

(2) These Directions come into force on 28 April 2006 but the amendments to the GDS SFE and the PDS SFE set out in these Directions will have effect from 1 April 2006.

(3) These Directions apply in relation to Wales.

(4) In these Directions—

“GDS SFE” means the directions set out in the Statement of Financial Entitlements made under section 28N and 126(4) of the National Health Service Act 1977 on 31 March 2006 in respect of payments under general dental services contracts; and

“PDS SFE means the directions set out in the Statement of Financial Entitlements made under section 28E(3A) and 126(4) of the National Health Service Act 1977 on 31 March 2006 in respect of payments under section 28C arrangements for the provision of primary dental services (other than section 28C arrangements under which a Local Health Board or an NHS trust is the provider of the primary dental services).

Amendment of the GDS SFE

2.—(1) The GDS SFE is amended in accordance with this direction.

(1) 1977 c.49.

(2) In direction 2 (which relates to the extent and entry into force of the SFE), after “1 April 2006.” add “The directions given in this SFE were amended, with effect from 1 April 2006, by direction 2 of the Primary Dental Services (Miscellaneous Amendments Relating to Finance) (Wales) Directions 2006.”.

(3) In paragraph 2.13 (which relates to the 2006/7 Adjustment), for the first sentence, starting “It is intended”, substitute the following sentence: “The amount determined in accordance with paragraphs 2.11 and 2.12 is to be uplifted by 3%, which is the value of the uprating adjustment for the financial year 2006 to 2007 (“the 2006/7 Adjustment”).”.

(4) In paragraph 2.14 (which relates to the baseline value of the Calculated Annual Contract Value), for “paragraphs 2.7 to 2.12,” substitute “paragraphs 2.7 to 2.13,”.

(5) In paragraph 5.7(a) (which relates to monthly deductions of employee’s superannuation contributions), for “in respect of which the earnings to which the contributions relate were paid” substitute “to which the related earnings relate”.

(6) In paragraphs 8.2(c) (which relates to eligibility for vocational training payments) and 8.4(c) (which relates to applications for vocational training payments), for “£2,394.32” substitute “£2,466.15”.

(7) In paragraph 8.5 (which relates to the amounts of vocational training payments)—

- (a) in sub-paragraph (a), for “£785.54” substitute “£809.11”;
- (b) in sub-paragraph (b), for “£2,394.32” substitute “£2,466.15”; and
- (c) in sub-paragraph (d), for “£4,420.50” substitute “£4,533.12”.

(8) In paragraph 9.3(d) (which relates to eligibility for maternity leave payments), after “Parental Leave Pay Period” add “and not to a period of sickness absence”.

(9) In paragraph 9.4(d) (which relates to eligibility for paternity leave payments), after “Parental Leave Pay Period” add “and not to a period of sickness absence”.

(10) In paragraph 9.5(d) (which relates to eligibility for adoption leave payments), after “Parental Leave Pay Period” add “and not to a period of sickness absence”.

(11) In paragraph 9.9(b) (which relates to applications for maternity leave payments), for from “no other claim” to “Performer’s maternity leave” substitute “, with regard to the period to which the claim relates, no claim for sickness leave payments has been made under Section 10 by it or any other contractor, or by a PDS Agreement Holder under the PDS SFE”.

(12) In paragraph 9.10(c) (which relates to applications for paternity leave payments), for from “no other claim” to “Performer’s paternity leave” substitute “, with regard to the period to which the claim relates, no claim for sickness leave payments has been made under Section 10 by it or any other contractor, or by a PDS Agreement Holder under the PDS SFE”.

(13) In paragraph 9.11(d) (which relates to applications for adoption leave payments), for from “no other claim” to “Performer’s adoption leave” substitute “, with regard to the period to which the claim relates, no claim for sickness leave payments has been made under Section 10 by it or any other contractor, or by a PDS Agreement Holder under the PDS SFE”.

(14) In paragraph 10.6(b) (which relates to applications for sickness leave payments), for from “no other claim” to “sickness absence” substitute “, with regard to the period to which the claim relates, no claim for parental leave payments has been made under Section 9 by it or any other contractor, or by a PDS Agreement Holder under the PDS SFE”.

Amendment of the PDS SFE

3.—(1) The PDS SFE is amended in accordance with this direction.

(2) In direction 2 (which relates to the extent and entry into force of the SFE), after “1 April 2006.” add “The directions given in this SFE were amended, with effect from 1 April 2006, by direction 3 of the Primary Dental Services (Miscellaneous Amendments Relating to Finance) (Wales) Directions 2006.”.

(3) In paragraph 2.13 (which relates to the 2006/7 Adjustment), for the first sentence, starting “It is intended”, substitute the following sentence: “The amount determined in accordance with

paragraphs 2.11 and 2.12 is to be uplifted by 3%, which is the value of the uprating adjustment for the financial year 2006 to 2007 (“the 2006/7 Adjustment”).”.

(4) In paragraph 2.14 (which relates to the baseline value of the Calculated Annual Agreement Value), for “paragraphs 2.7 to 2.12,” substitute “paragraphs 2.7 to 2.13,”.

(5) In paragraph 5.8(a)(i) (which relates to monthly deductions of employee’s superannuation contributions), for “in respect of which the earnings to which the contributions relate were paid” substitute “to which the related earnings relate”.

(6) In paragraphs 7.2(c) (which relates to eligibility for vocational training payments) and 7.4(c) (which relates to applications for vocational training payments), for “£2,394.32” substitute “£2,466.15”.

(7) In paragraph 7.5 (which relates to the amounts of vocational training payments)—

(a) for “(d)”, “(e)”, “(f)” and “(g)”, substitute “(a)”, “(b)”, “(c)” and “(d)”;

(b) in sub-paragraph (a), for “£785.54” substitute “£809.11”;

(c) in sub-paragraph (b), for “£2,394.32” substitute “£2,466.15”; and

(d) in sub-paragraph (d), for “£4,420.50” substitute “£4,533.12”.

(8) In paragraph 8.3(d) (which relates to eligibility for maternity leave payments), after “Parental Leave Pay Period” add “and not to a period of sickness absence”.

(9) In paragraph 8.4(d) (which relates to eligibility for paternity leave payments), after “Parental Leave Pay Period” add “and not to a period of sickness absence”.

(10) In paragraph 8.5(d) (which relates to eligibility for adoption leave payments), after “Parental Leave Pay Period” add “and not to a period of sickness absence”.

(11) In paragraph 8.9(b) (which relates to applications for maternity leave payments), for from “no other claim” to “Performer’s maternity leave” substitute “, with regard to the period to which the claim relates, no claim for sickness leave payments has been made under Section 9 by it or any other contractor, or by a GDS Contract Holder under the GDS SFE”.

(12) In paragraph 8.10(c) (which relates to applications for paternity leave payments), for from “no other claim” to “Performer’s paternity leave” substitute “, with regard to the period to which the claim relates, no claim for sickness leave payments has been made under Section 9 by it or any other contractor, or by a GDS Contract Holder under the GDS SFE”.

(13) In paragraph 8.11(d) (which relates to applications for adoption leave payments), for from “no other claim” to “Performer’s adoption leave” substitute “, with regard to the period to which the claim relates, no claim for sickness leave payments has been made under Section 9 by it or any other contractor, or by a GDS Contract Holder under the GDS SFE”.

(14) In paragraph 9.6(b) (which relates to applications for sickness leave payments), for from “no other claim” to “sickness absence” substitute “, with regard to the period to which the claim relates, no claim for parental leave payments has been made under Section 8 by it or any other contractor, or by a GDS Contract Holder under the GDS SFE”.

Signed

Date 27 April 2006

BRIAN GIBBONS
Minister for Health and Social Services