

Explanatory Memorandum to The National Health Service (General Dental Services Contracts and Patient Charges) (Amendment) (Wales) Regulations 2026

This Explanatory Memorandum has been prepared by Primary Care Division of Health, Social Care & Early Years Group and is laid before Senedd Cymru in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

Cabinet Secretary's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of The National Health Service (General Dental Services Contracts and Patient Charges) (Amendment) (Wales) Regulations 2026. I am satisfied that the benefits justify the likely costs.

Jeremy Miles MS
Cabinet Secretary for Health and Social Care
19 February 2026

PART 1

1. Description

These Regulations amend the National Health Service (General Dental Services Contracts and Patient Charges) (Wales) Regulations 2026 (“the principal Regulations”) in order to rectify errors in the principal Regulations that came to light during the registration of those Regulations by the SI Registrar (on behalf of the King’s Printer for Wales).

2. Matters of special interest to the Legislation, Justice and Constitution Committee

These Regulations correct three matters in the principal Regulations. In the case of the amendments made by regulations 2 and 4 of these Regulations it is appropriate that these corrections are made before the principal Regulations come into force. It is desirable that the amendment made by regulation 3 is corrected at the same time. As such these Regulations come into force on 1 March 2026. As these Regulations come into force less than 21 days after they have been laid, a letter of explanation has been sent to the Llywydd in accordance with section 37E(6) of the Legislation Wales Act 2019.

These Regulations will be subject to the free-issue procedure as they correct errors in the principal Regulations.

3. Legislative background

The Welsh Ministers make these Regulations in exercise of the powers conferred by sections 2, 56(5) and (6), 57, 58, 60(2), 61, 125(1), and 203(9) and (10) of the National Health Service (Wales) Act 2006.

These Regulations are subject to the Senedd annulment procedure and come into force on 1 March 2026.

4. Purpose and intended effect of the legislation

These Regulations correct three matters in the principal Regulations:

- regulation 2 substitutes Schedule 1 to the principal Regulations in the English text only, in order to rectify errors in the structure and format of paragraphs 23 to 25 of that Schedule. As there were consequential numbering errors in the subsequent paragraphs of Schedule 1 it was determined a full substitution would make for a neater amendment, resulting in a clearer position for readers of the principal Regulations.

- regulation 2 corrects a typographical error in the Welsh text of the table in Schedule 2;
- regulation 3 substitutes the table in Schedule 5 (in both language texts) which has the effect of replacing the currently incorrect levels of patient charges shown in the second column of that table. The Cabinet Secretary for Health and Social Care had announced on 23 September 2025 that patients will contribute 50% of the cost of their treatment. The figures in the table in Schedule 5 of the principal Regulations as made, were in fact the figures that had been put in place in the public consultation.

On 27 March 2025, the Cabinet Secretary for Health and Social Care opened a 12-week consultation on proposals to reform the NHS General Dental Service (GDS) contract in Wales. This consultation sought feedback on the different elements of the proposed reform including levels of patient charges. The consultation closed on 19 June 2025. The consultation documents and a summary of the responses are available at: [Reform of NHS general dental services | GOV.WALES](#)

5. Regulatory Impact Assessment

Factual amendments are being made to update subordinate legislation and as the amendments do not alter the policy (or its impact) in any significant way or how it is applied in a given situation, an RIA is not required. This is in line with the policy set out in the Welsh Ministers' code of practice for carrying out regulatory impact assessments for subordinate legislation. Furthermore, in terms of the amendments in relation to patient charges, the RIA for the principle Regulations set out the impact as intended by these amendments.

An explanation of the effect of Schedule 1 and the table in Schedule 5 can be found in the Explanatory Memorandum to the principal Regulations laid before the Senedd on 11 February 2026.