

## SCHEDULE 5

### OTHER CONTRACTUAL TERMS

#### PART 2

#### PATIENTS

##### **Approval of closure notice**

**29.**—(1) If the Primary Care Trust approves the closure notice in accordance with paragraph 28(12)(a), the contractor shall close its list of patients—

- (a) with effect from a date agreed between the Primary Care Trust and the contractor; or
- (b) if no such agreement has been reached, with effect from the date on which the contractor receives notification of the Primary Care Trust's decision to approve the closure notice.

(2) Subject to sub-paragraph (3), the contractor's list of patients shall remain closed for the period specified in the closure notice in accordance with paragraph 28(8)(a) (or, where the period of 12 months specified in paragraph 28(10) applies, for that period).

(3) The contractor's list of patients shall re-open before the expiry of the period mentioned in sub-paragraph (2) if—

- (a) the number of the contractor's registered patients falls to the number specified in the closure notice in accordance with paragraph 28(8)(c); or
- (b) the Primary Care Trust and the contractor agree that the list of patients should re-open.

(4) If the contractor's list of patients has re-opened pursuant to sub-paragraph (3)(a), it shall nevertheless close again if, during the period specified in the closure notice in accordance with paragraph 28(8)(a) (or, where the period of 12 months specified in paragraph 28(10) applies, during that period) the number of the contractor's registered patients rises to the number specified in the closure notice in accordance with paragraph 28(8)(d).

(5) Except in cases where the contractor's list of patients is already open pursuant to sub-paragraph (3), the Primary Care Trust shall notify the contractor in writing between seven and fourteen days before the expiry of the period of closure specified in sub-paragraph (2), confirming the date on which the contractor's list of patients will re-open.

(6) Where the details specified in the closure notice in accordance with paragraph 28(8) have been revised following discussions under paragraph 28(10), references in this paragraph to details specified in the closure notice are references to those details as so revised.