

SCHEDULE 6

OTHER CONTRACTUAL TERMS

PART 5

RECORDS, INFORMATION, NOTIFICATIONS AND RIGHTS OF ENTRY

Notice provisions specific to a contract with a company limited by shares

83.—(1) A contractor which is a company limited by shares shall give notice in writing to the Local Health Board forthwith when —

- (a) any share in the contractor is transmitted or transferred (whether legally or beneficially) to another person on a date after the contract has been entered into;
- (b) it passes a resolution or a court of competent jurisdiction makes an order that the contractor be wound up;
- (c) circumstances arise which might entitle a creditor or a court to appoint a receiver, administrator or administrative receiver for the contractor;
- (d) circumstances arise which would enable the court to make a winding up order in respect of the contractor ; or
- (e) the contractor is unable to pay its debts within the meaning of section 123 of the Insolvency Act 1986 (definition of inability to pay debts)(1).

(2) A notice under sub-paragraph (1)(a) shall confirm that the new shareholder, or, as the case may be, the personal representative of a deceased shareholder —

- (a) is a medical practitioner, or that he or she satisfies the conditions specified in section 28S(2)(b)(i) to (iv) of the Act; and
- (b) meets the further conditions imposed on shareholders by virtue of regulations 4 and 5.

(1) 1986 c. 45.