

SCHEDULE 6

OUT OF HOURS SERVICES

Review of approval

4.—(1) Where it appears to the Board that it may no longer be satisfied of any of the matters referred to in paragraph 2(3), it may give notice to the contractor that it proposes to review its approval of the out of hours arrangement.

(2) On any review under sub-paragraph (1), the Board shall allow the contractor a period of 30 days, beginning with and including the day on which it sent the notice, within which to make representations in writing to the Board.

(3) After considering any representations made in accordance with sub-paragraph (2), the Board may determine to –

- (a) continue its approval;
- (b) withdraw its approval following a period of notice; or
- (c) if it appears to it that it is necessary in the interests of the contractor's patients, withdraw its approval immediately.

(4) Except in the case of an immediate withdrawal of approval, the Board shall not withdraw its approval without first consulting the Local Medical Committee (if any) for its area.

(5) Where the Board determines to withdraw its approval immediately, it shall notify the Local Medical Committee (if any) for its area.

(6) The Board shall give notice to the contractor of its determination under sub-paragraph (3).

(7) Where the Board withdraws its approval, whether immediately or on notice, it shall include with the notice a statement in writing of the reasons for its determination.

(8) A contractor which wishes to refer the matter in accordance with the dispute resolution procedure must do so before the end of the period of 30 days beginning with and including the day on which the Board's notification under sub-paragraph (6) was sent.

(9) Where the Board determines to withdraw its approval following a period of notice, the withdrawal shall take effect at the end of the period of two months beginning with and including –

- (a) the date on which the notice referred to in sub-paragraph (6) was sent; or
- (b) where there has been a dispute which has been referred under the dispute resolution procedure and the dispute is determined in favour of withdrawal, the date on which the contractor receives notice of the determination.

(10) Where the Board determines to withdraw its approval immediately, the withdrawal shall take effect on the day on which the notice referred to in sub-paragraph (6) is received by the contractor.