

SCHEDULE 4

AGREEMENTS TO PROVIDE OUT OF HOURS SERVICES

Withdrawal and variation of approval under paragraph 4

5.—(1) Without prejudice to any other remedies which it may have under the agreement, where a Health Board has approved an application made under paragraph 4 it shall, subject to paragraph 6, be entitled to serve notice on the provider withdrawing or varying that approval from a date specified in the notice if it is no longer satisfied that the proposed arrangement will enable the provider to meet satisfactorily its obligations under the agreement.

(2) The date specified in the notice shall be such as appears reasonable in all the circumstances to the Health Board.

- (3) The notice referred to in sub-paragraph (1) shall take effect on whichever is the later of—
- (a) the date specified in the notice; or
 - (b) (if applicable) the date of the final determination of the NHS dispute resolution procedure (or any court proceedings) relating to the notice in favour of the Health Board.