

SCHEDULE 6

OTHER CONTRACTUAL TERMS

PART 9

MISCELLANEOUS

Gifts

- 117.**—(1) The contractor must keep a register of gifts which—
- (a) are given to any of the persons specified in sub-paragraph (2) by or on behalf of—
 - (i) a patient;
 - (ii) a relative of a patient; or
 - (iii) any person who provides or wishes to provide services to the contractor or its patients in connection with the contract; and
 - (b) have, in its reasonable opinion, an individual value of more than £100.00.
- (2) The persons referred to in sub-paragraph (1) are—
- (a) the contractor;
 - (b) where the contract is with a partnership, any partner;
 - (c) where the contract is with a limited liability partnership, any member of the limited liability partnership;
 - (d) where the contract is with a company—
 - (i) any member of the company; or
 - (ii) a director or secretary of the company;
 - (e) any person employed by the contractor for the purposes of the contract;
 - (f) any general medical practitioner engaged by the contractor for the purposes of the contract;
 - (g) any spouse or civil partner of a contractor (where the contractor is an individual medical practitioner) or of a person specified in paragraphs (b) to (f); or
 - (h) any person whose relationship with a contractor (where the contractor is an individual medical practitioner) or with a person specified in paragraphs (b) to (f) has the characteristics of the relationship between spouses or civil partners.
- (3) Sub-paragraph (1) does not apply where—
- (a) there are reasonable grounds for believing that the gift is unconnected with services provided or to be provided by the contractor;
 - (b) the contractor is not aware of the gift; or
 - (c) the contractor is not aware that the donor wishes to provide services to the contractor.
- (4) The contractor must take reasonable steps to ensure that it is informed of gifts which fall within sub-paragraph (1) and which are given to the persons specified in sub-paragraph (2)(b) to (h).
- (5) The register referred to in sub-paragraph (1) must include the following information:—
- (a) the name of the donor;
 - (b) in a case where the donor is a patient, the patient's National Health Service number or, if the number is not known, the patient's address;
 - (c) in any other case, the address of the donor;

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- (d) the nature of the gift;
 - (e) the estimated value of the gift; and
 - (f) the name of the person or persons who received the gift.
- (6) The contractor must make the register available to the Health Board on request.