

SCHEDULE 3

OTHER CONTRACTUAL TERMS

PART 9

VARIATION AND TERMINATION OF CONTRACTS

Variation of a contract: activity under the contract

61.—(1) Where the contractor or the Primary Care Trust is of the opinion that there needs to be a variation to the number of—

- (a) units of dental activity; or
- (b) units of orthodontic activity,

to be provided under the contract, sub-paragraphs (2) and (3) shall apply.

(2) The contractor or the Primary Care Trust (as the case may be) shall notify the other party to the contract in writing of its opinion of the need for a variation, specifying in that notice the variation that it considers necessary, together with its reasons.

(3) Following service of the notice referred to in sub-paragraph (2), both parties shall use their best endeavours to communicate and co-operate with each other with a view to determining what (if any) variation should be made to the number of—

- (a) units of dental activity; or
- (b) units of orthodontic activity,

and any related variations to the contract, including to the monies to be paid to the contractor under the contract, and shall where appropriate effect the variation in accordance with paragraph 60.