
STATUTORY INSTRUMENTS

2015 No. 1862

**The National Health Service (General
Medical Services Contracts) Regulations 2015**

PART 14

Miscellaneous

Gifts

- 93.**—(1) The contractor must keep a register of gifts which—
- (a) are given to any of the persons specified in paragraph (2) by or on behalf of—
 - (i) a patient,
 - (ii) a relative of a patient, or
 - (iii) any person who provided or would like to provide services to the contractor or its patients in connection with the contract; and
 - (b) have, in the contractor's reasonable opinion, an individual value of more than £100.00.
- (2) The persons specified in this paragraph are—
- (a) the contractor;
 - (b) where the contract is with two or more persons practising in partnership, any partner in the partnership;
 - (c) where the contract is with a company limited by shares—
 - (i) any person both legally and beneficially owning a share in the company, or
 - (ii) a director or secretary of the company;
 - (d) any person employed by the contractor for the purposes of the contract;
 - (e) any general medical practitioner engaged by the contractor for the purposes of the contract;
 - (f) any spouse or civil partner of a contractor (where the contractor is an individual medical practitioner) or of a person specified in sub-paragraphs (b) to (e); or
 - (g) any person whose relationship with the contractor (where the contractor is an individual medical practitioner), or with a person specified in sub-paragraphs (b) to (e), has the characteristics of the relationship between spouses.
- (3) 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 would like to provide services to the contractor or its patients.

(4) The contractor must take reasonable steps to ensure that it is informed of any gifts which fall within paragraph (1) and which are given to the persons specified in paragraph (2)(b) to (g).

(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;
- (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 Board on request.