

## SCHEDULE 3

### Other contractual terms

## PART 2

### Patients: general

#### Removal from the list at the request of the patient

**23.**—(1) The contractor must give notice in writing to [F1NHS England] of a request made by any person who is a registered patient to be removed from the contractor's list of patients.

(2) Where [F1NHS England]—

- (a) receives a notice given by the contractor under sub-paragraph (1); or
- (b) receives directly a request from a person to be removed from the contractor's list of patients,

[F1NHS England] must remove that person from the contractor's list of patients.

(3) The removal of a person from a contractor's list of patients in accordance with sub-paragraph (2) takes effect on whichever is the earlier of—

- (a) the date on which [F1NHS England] is given notice of the registration of that person with another provider of essential services (or their equivalent); or
- (b) 14 days after the date on which the notice given under sub-paragraph (1) or the request made under sub-paragraph (2) is received by [F1NHS England].

(4) [F1NHS England] must, as soon as practicable, give notice in writing to—

- (a) the person who requested the removal; and
- (b) the contractor,

that the person's name is to be or has been removed from the contractor's list of patients on the date referred to in sub-paragraph (3).

(5) In this paragraph, and in paragraphs 24(1)(b) and (10), 25(6) and (7), 27 and 30, a reference to a request received from or advice, information or notice required to be given to, a person includes a request received from or advice, information or notice required to be given to—

(a) in the case of a child—

- (i) either parent, or in the absence of both parents, the guardian or other adult who has care of the child,
- (ii) a person duly authorised by a local authority to whose care the child has been committed under the Children Act 1989<sup>M1</sup>, or
- (iii) a person duly authorised by a voluntary organisation by which the child is being accommodated under the Children Act 1989; or

(b) in the case of an adult patient who lacks capacity to make the relevant request or receive the relevant advice, information or notice—

- (i) a relative of that person,
- (ii) the primary carer of that person,
- (iii) a donee of a lasting power of attorney granted by that person, or

**Changes to legislation:** The National Health Service (General Medical Services Contracts) Regulations 2015, Paragraph 23 is up to date with all changes known to be in force on or before 23 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (iv) a deputy appointed for that person by the court under the Mental Capacity Act 2005  
M2

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**Textual Amendments**

- F1** Words in Regulations substituted (6.11.2023) by [The Health and Care Act 2022 \(Further Consequential Amendments\) \(No. 2\) Regulations 2023 \(S.I. 2023/1071\)](#), reg. 1(1), **Sch. para. 1**
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**Marginal Citations**

- M1** 1989 c.41.  
**M2** 2005 c.9.

**Changes to legislation:**

The National Health Service (General Medical Services Contracts) Regulations 2015, Paragraph 23 is up to date with all changes known to be in force on or before 23 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 3 para. 2(3)(4) inserted by [S.I. 2024/575 Sch. 1 para. 7\(a\)\(ii\)](#)
- Sch. 3 para. 18(3)(3A) substituted for Sch. 3 para. 18(3) by [S.I. 2024/575 Sch. 1 para. 10](#)