

Changes to legislation: The National Health Service (General Medical Services Contracts) Regulations 2015, CHAPTER 4 is up to date with all changes known to be in force on or before 27 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

SCHEDULE 3

Other contractual terms

[^{F1}PART 2A

List of patients: Crown servants posted overseas and their family members

Textual Amendments

- F1** Sch. 3 Pt. 2A inserted (1.10.2021) by The National Health Service (General Medical Services Contracts and Personal Medical Services Agreements) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/995), reg. 1(2), Sch. 1 para. 4(e) (with reg. 3)

CHAPTER 4

Refusal of applications under this Part

Refusal of an application under paragraphs 32D to 32G

32H.—(1) The contractor may refuse a list application, or a temporary residence application, if (and only if) the contractor has reasonable grounds for doing so which do not relate to the qualifying person's age, appearance, disability or medical condition, gender or gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sexual orientation or social class.

(2) The reasonable grounds referred to in sub-paragraph (1) may, in the case of a list application, include the ground that the qualifying person will not, on or after the planned return date, live in, or does not intend to live in, either of the following areas—

- (a) the contractor's practice area, or
- (b) the outer boundary area (the area referred to in regulation 20(3)).

(3) Where a contractor refuses a list application, or temporary resident application, the contractor must give a refusal notice to the relevant person before the end of the period of 14 days beginning with the date of the decision to refuse the application.

(4) For the purposes of sub-paragraph (3), the relevant person is—

- (a) the applicant, or
- (b) where the application was made on behalf of a person who has not attained the age of 16 years or a person who lacks capacity, the person who made the application on their behalf.

(5) The contractor must—

- (a) keep a written record of—
 - (i) the refusal of any list application, and
 - (ii) its reasons for that refusal, and
- (b) make such records available to [^{F2}NHS England] on request.

(6) In this paragraph—

“list application” means an application under paragraph 32D or 32F;

“refusal notice” means a notice which—

- (a) is in writing, and
- (b) includes the reasons for the decision to refuse the relevant application;

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“temporary residence application” means an application under paragraph 32E or 32G.]

Textual Amendments

- F2** 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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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](#)