

SCHEDULE 1

Amendments to the GMS Contracts Regulations

Restriction on use of fax machines

4. After regulation 70 insert—

“Use of fax machines

70A.—(1) Where a contractor can transmit information by electronic means (other than facsimile transmission) securely and directly to a relevant person, the contractor must not—

- (a) transmit any information to that person by facsimile transmission, or
- (b) agree to receive any information from that person by facsimile transmission.

(2) Paragraph (1) does not apply to any information which relates solely to the provision of clinical services or treatment to a patient under a private arrangement.

(3) In this regulation, “relevant person” means—

- (a) an NHS body⁽¹⁾,
- (b) another health service provider,
- (c) a patient, or
- (d) a person acting on behalf of a patient.”.

(1) See the definition of “NHS body” in section 275(1) of the National Health Service Act 2006. The definition was added by the Health and Social Care Act 2012, Schedule 4, paragraph 138.