
STATUTORY INSTRUMENTS

2023 No. 1348

The Health Care Services (Provider Selection Regime) Regulations 2023

PART 4

Further requirements when procuring relevant health care services

Termination of contracts

22.—(1) A relevant authority must ensure that every contract it awards contains provisions enabling the relevant authority to terminate the contract where—

- (a) the contract has been subject to a modification which cannot be made under regulation 13 without following a new procurement process;
- (b) the provider, at the time of the contract award, should have been excluded from the procurement process in accordance with regulation 20(1).

(2) The provisions referred to in paragraph (1) may address the basis on which the power is to be exercisable in those circumstances, for example by providing for notice of termination to be given and by addressing consequential matters that may arise from the termination.

(3) To the extent that a contract awarded under these Regulations does not contain provisions enabling the relevant authority to terminate the contract on any of the grounds mentioned in paragraph (1), a power for the relevant authority to do so on giving reasonable notice to the provider is an implied term of that contract.