

**Status:** This version of this provision is prospective.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The National Health Service (General Medical Services Contracts) (Wales) Regulations 2023. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

PROSPECTIVE

## SCHEDULE 3

### Other contractual terms

## PART 11

### Variation and termination of contracts

#### Variation of a contract: general

**109.**—(1) Subject to paragraphs 76(8), 110, 111 and 124 of this Schedule no amendment or variation has effect unless it is in writing and signed by or on behalf of the Local Health Board and the contractor.

(2) In addition to the specific provision made in paragraphs 110(6), 111(11), and 124 the Local Health Board may vary the contract without the contractor's consent where it—

- (a) is reasonably satisfied that it is necessary to vary the contract so as to comply with the Act, any regulations made pursuant to that Act, or any direction given by the Welsh Ministers pursuant to that Act, and
- (b) notifies the contractor in writing of the wording of the proposed variation and the date upon which that variation is to take effect, and

where it is reasonably practicable to do so, the date that the proposed variation is to take effect must not be less than 14 days after the date on which the notice under paragraph (b) is served on the contractor.

#### Commencement Information

**II** Sch. 3 para. 109 in force at 1.10.2023, see [reg. 1\(2\)](#)

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**Changes and effects yet to be applied to :**

- Sch. 3 para. 109 coming into force by [S.I. 2023/953 reg. 1\(2\)](#)
- Sch. 3 para. 109(1) words inserted by [S.I. 2023/1421 reg. 18\(kk\)](#)

**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. 16(3) inserted by [S.I. 2023/1421 reg. 18\(b\)](#)
- Sch. 5 para. 2(2)(a)(iv)(aa) omitted by [S.I. 2023/1421 reg. 20\(d\)](#)
- Sch. 5 para. 2(2)(a)(i)(aa) word substituted by [S.I. 2023/1421 reg. 20\(c\)](#)