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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 2**

**The Utilities Contracts (Scotland) Regulations 2006**

**PART 8**

**MISCELLANEOUS**

**Preservation of records**

**37.**—(1) When these Regulations apply to the seeking of offers in relation to a contract, a utility shall keep appropriate information on each contract sufficient to justify decisions taken in connection with—

- (a) the qualification and selection of economic operators and the award of contracts; and
- (b) the use of a procedure without a prior call for competition by virtue of regulation 17.

(2) When a utility decides not to apply these Regulations to the seeking of offers in relation to a contract in accordance with regulation 6, 7, 8, 9 or 11, it shall keep appropriate information on such a contract sufficient to justify that decision.

(3) A utility shall take appropriate steps to document the progress of contract award procedures conducted by electronic means.

(4) The information referred to in paragraphs (1), (2) and (3) shall be preserved for at least 4 years from the date of the award of the contract.