
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 88

PUBLIC PROCUREMENT

The Public Contracts (Scotland) Regulations 2012

<i>Made</i>	- - - -	<i>14th March 2012</i>
<i>Laid before the Scottish</i>		
<i>Parliament</i>	- -	<i>16th March 2012</i>
<i>Coming into force</i>		<i>1st May 2012</i>

THE PUBLIC CONTRACTS (SCOTLAND) REGULATIONS 2012

PART 1

GENERAL

1. Citation, commencement and extent
2. Interpretation
3. Contracting authorities
4. Economic operators
5. Application
6. General exclusions
7. Reserved contracts
8. Thresholds

PART 2

TECHNICAL SPECIFICATIONS

9. Technical specifications in the contract documents
10. Variants

PART 3

PROCEDURES LEADING TO THE AWARD OF A PUBLIC CONTRACT

11. Prior information notices
12. Selection of contract award procedures
13. Use of the negotiated procedure with prior publication of a contract notice
14. Use of the negotiated procedure without prior publication of a contract notice
15. The open procedure
16. The restricted procedure

Status: This is the original version (as it was originally made).

17. The negotiated procedure
18. The competitive dialogue procedure
19. Framework agreements
20. Dynamic purchasing systems
21. Electronic auctions
22. Central purchasing bodies

PART 4

SELECTION OF ECONOMIC OPERATORS

23. Criteria for the rejection of economic operators
24. Information as to economic and financial standing
25. Information as to technical or professional ability
26. Supplementary information
27. Official lists of approved economic operators
28. Consortia
29. Corporations

PART 5

THE AWARD OF A PUBLIC CONTRACT

30. Criteria for the award of a public contract
31. Contract award notice
32. Information about contract award procedures and standstill period

PART 6

SPECIALISED CONTRACTS

33. Design contests
34. Subsidised public works contracts and public services contracts
35. Subsidised housing scheme works contracts
36. Public works concession contracts
37. Sub-contracting the work or works to be carried out under a public works concession contract

PART 7

MATTERS RELATING TO A PUBLIC CONTRACT

38. Obligations relating to taxes, environmental protection, employment protection and working conditions
39. Conditions for performance of contracts

PART 8

MISCELLANEOUS

40. Statistical and other reports
41. Provision of reports
42. Publication of notices
43. Confidentiality of information
44. Means of communication
45. Sub-contracting
46. Public service bodies

PART 9

APPLICATIONS TO THE COURT

47. Enforcement of obligations
48. Powers and duties of the court
49. Ineffectiveness orders
50. Financial penalties

PART 10

REPEALS, REVOCATIONS, SAVINGS, TRANSITIONAL PROVISIONS

51. Revocations
52. Savings and transitional provisions
53. Consequential amendments
Signature

SCHEDULE 1	GPA ANNEX 1 CONTRACTING AUTHORITIES
SCHEDULE 2	ACTIVITIES CONSTITUTING WORKS
SCHEDULE 3	CATEGORIES OF SERVICES
SCHEDULE 4	EXTENSION TO NON-MEMBER STATES
SCHEDULE 5	GOODS FOR THE PURPOSES OF THE THRESHOLDS
SCHEDULE 6	PROFESSIONAL OR TRADE REGISTERS

PUBLIC SERVICES CONTRACTS

1. In relation to procedures for the award of a public...

PUBLIC WORKS CONTRACTS

2. In relation to procedures for the award of a public...

PUBLIC SUPPLY CONTRACTS

3. In relation to procedures for the award of a public...

SCHEDULE 7 CONSEQUENTIAL AMENDMENTS AND
REVOCATIONS

Explanatory Note