

SCHEDULE 6

CONSEQUENTIAL AND MISCELLANEOUS AMENDMENTS

PART 1

MODIFICATIONS TO PRIMARY LEGISLATION

Late Payment of Commercial Debts (Interest) Act 1998

1.—(1) The Late Payment of Commercial Debts (Interest) Act 1998⁽¹⁾ is amended as follows.

(2) In section 4(8)⁽²⁾ (period for which statutory interest runs), in the definition of “public authority” for “regulation 3 of the Public Contracts (Scotland) Regulations 2012” substitute “regulation 2(1) of the Public Contracts (Scotland) Regulations 2015”.

Procurement Reform (Scotland) Act 2014

2.—(1) The Procurement Reform (Scotland) Act 2014⁽³⁾ is amended as follows.

(2) In section 4(1), for “mentioned in paragraph (1) or (2) of regulation 6 of the Public Contract Regulations” substitute “to which Public Contracts Regulations do not apply by virtue of regulation 4 or 7 to 18 of those regulations”.

(3) In section 11(3) for “supported employment programme or supported factory within the meaning regulation 7” substitute “or supported employment programme within the meaning of regulation 21”.

(4) In section 41(1) (the Directive, Public Contracts Regulations and EU regulated procurements)

- (a) In paragraph (a), for “Directive [2004/18/EC](#)” substitute “Directive 2014/24/EU”;
- (b) In paragraph (b) for “Public Contracts (Scotland) Regulations 2012 ([S.S.I. 2012/88](#))” substitute “Public Contracts (Scotland) Regulations 2015 (S.S.I. 2015/XX);
- (c) in paragraph (c) omit “by virtue of regulation 5(1)”.

Small Business, Enterprise and Employment Act 2015

3.—(1) The Small Business, Enterprise and Employment Act 2015⁽⁴⁾ is amended as follows.

(2) In section 40(5) (investigation of procurement functions) in the definition of “a relevant function relating to procurement”, in paragraph (c)—

- (a) for “Public Contracts (Scotland) Regulations 2012 ([S.I. 2012/88](#))” substitute “Public Contracts (Scotland) Regulations 2015”; and
- (b) for “regulation 8” substitute “regulation 5”.

(1) [1998 c.20](#).

(2) Section 4 relevantly amended by [S.S.I. 2013/77](#), regulation 2(6).

(3) [2014 asp. 12](#).

(4) [2015 c.26](#).