
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 47

The Public Contracts (Scotland) Amendment Regulations 2016

Amendment of the Public Contracts Regulations

- 2.—(1) The Public Contracts (Scotland) Regulations 2015(1) are amended as follows.
- (2) In regulation 1 (citation, commencement and extent) for paragraph (3) substitute—
- “(3) Regulation 23(1) to (7) (rules applicable to communication) comes into force—
- (a) for the purposes of regulations 35 (dynamic purchasing systems), 36 (electronic auctions), 37 (electronic catalogues), 52(1) (form and manner of sending notices for publication at EU level) and 54 (electronic availability of procurement documents) on 18th April 2016;
- (b) for the purpose of regulation 38(6) (centralised purchasing activities and central purchasing bodies) on 18th April 2017; and
- (c) for all other purposes on 18th October 2018.”.
- (3) In regulation 2(1) (interpretation) in the definition of “central government authority” for “authorities” substitute “contracting authorities”.
- (4) In regulation 4 (mixed procurement)—
- (a) in paragraph (5) for “paragraph (5)(a)” substitute “paragraph (4)(a)”; and
- (b) in paragraphs (6) and (7) for “paragraph (5)(b)” substitute “paragraph (4)(b)”.
- (5) In regulation 15 (specific situations: research and development services) for “74320000-2” substitute “73420000-2”.
- (6) In regulation 38(1) (centralised purchasing activities and central purchasing bodies) for “the centralised purchasing activity referred to in paragraph (9)(a)” substitute “a centralised purchasing activity”.
- (7) In regulation 85(3) (notices of decisions to award a contract or conclude a framework agreement)—
- (a) in sub-paragraph (a) for “regulation 43(11) (technical specifications)” substitute “regulation 43(14) (technical specifications)”; and
- (b) in sub-paragraph (b) for “regulation 43(10) (technical specifications)” substitute “regulation 43(13) (technical specifications)”.
- (8) In regulation 91(2) (ineffectiveness orders) for “paragraph (10)(b)” substitute “regulation 92(1)(b) (powers of the court)”.
- (9) In regulation 99(5) (transitional provision and saving where utilities procurement procedures commenced before 18th April 2016), in the definition of “the Utilities amendments”, for “paragraph 9 of Schedule 6” substitute “paragraph 8 of Schedule 6”.
- (10) In paragraph 10(2) of Schedule 6 (modifications to the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013)—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) in the substituted paragraph 10(1)(b) of Schedule 3 to the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013 (“2013 Order”) for “regulation 80” substitute “regulation 79”; and
- (b) in the substituted paragraph 10(2) of Schedule 3 to the 2013 Order for “regulations 58 and 80” substitute “regulations 58 and 79”.