

*Draft Regulations laid before Parliament under section 122(4) of the Procurement Act 2023 (c. 54), for approval by resolution of each House of Parliament.*

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DRAFT STATUTORY INSTRUMENTS

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**2024 No.**

**PUBLIC PROCUREMENT**

**The Procurement Regulations 2024**

*Made - - - -*

*Coming into force in accordance with regulation 1*

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## SCHEDULES

- Schedule 1 — Light touch services
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The Minister for the Cabinet Office makes these Regulations in exercise of the powers conferred by sections 9(2), 33(8), 69(4), 95(1), (2) and (3), 97(1) and (2), 113(1), 115(1), 120(1), 121(1) and (2), 122(3) and 125(1) and (2) of, and paragraph 5(1) of Schedule 1 to, the Procurement Act 2023<sup>(a)</sup>.

These Regulations are made with the consent of the Department of Finance for Northern Ireland in accordance with section 113(4) of the Procurement Act 2023.

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(a) 2023 c. 54. See section 123(1) of the Procurement Act 2023 for the definitions of “appropriate authority” and “Minister of the Crown”.

The Minister for the Cabinet Office has consulted the following persons on the provision contained in regulation 48 in accordance with section 121(3) of the Procurement Act 2023—

- (a) persons appearing to the Minister to represent the views of private utilities, and
- (b) such other persons as the Minister considers appropriate.

A draft of this instrument has been laid before, and approved by a resolution of, each House of Parliament pursuant to section 122(4) of the Procurement Act 2023.

## PART 1

### Introductory

#### **Citation and commencement**

- 1.—(1) These Regulations may be cited as the Procurement Regulations 2024.
- (2) These Regulations, except regulation 48, come into force at the same time at which section 11 of the Procurement Act 2023 comes into force for any purpose(a).
- (3) Regulation 48 comes into force on the day after the day on which these Regulations are made.

#### **Extent and application**

- 2.—(1) These Regulations extend to England and Wales, Scotland and Northern Ireland, subject to paragraph (2).
- (2) Regulation 43 extends to England and Wales only.
- (3) Part 5 makes provision about how Parts 2 and 3 apply in relation to Wales and Scotland.

#### **Interpretation**

3. In these Regulations(b)—

“CA 2006” means the Companies Act 2006(c);

“CPV code” means a code used in the Common Procurement Vocabulary as adopted by Regulation (EC) No 2195/2002 of the European Parliament and of the Council of 5 November 2002 on the Common Procurement Vocabulary(d).

“PA 2023” means the Procurement Act 2023.

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(a) Section 11 comes into force on such day as a Minister of the Crown may by regulations appoint; and different days may be appointed for different purposes. See section 127 of the Procurement Act 2023.

(b) Also see section 123 of the Procurement Act 2023 for an index of defined definitions in that Act.

(c) 2006 c. 46.

(d) EUR 2195/2002, as amended by S.I. 2020/1319; this is a reference to the retained version of Regulation (EC) 2195/2002. That retained version is available online at <https://www.legislation.gov.uk/eur/2002/2195/contents>.

## PART 2

### Transparency of procurements under the Procurement Act 2023

#### Interpretation of Part 2

4. In this Part—

“alternative online system” has the meaning given by regulation 5(10);

“central digital platform” has the meaning given by regulation 5(2);

the “Comprehensive and Progressive Agreement for Trans-Pacific Partnership” means the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, signed at Santiago on 8 March 2018, including the Accession Protocol of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, signed at Auckland and Bandar Seri Begawan on 16 July 2023(a), as amended from time to time;

“contract subject-matter” has the meaning given by regulation 14;

“contracting authority information” has the meaning given by regulation 13;

“core supplier information” has the meaning given by regulation 6(9);

“geographical classification” has the meaning given by regulation 14(2);

the “GPA” means Agreement on Government Procurement signed at Marrakesh on 15 April 1994(b), as amended from time to time;

“PSC register” means the register that a company is required to keep under section 790M of the CA 2006 (register of people with significant control over a company);

“unique identifier” has the meaning given by regulation 8.

#### Publication of notices etc on central digital platform

5.—(1) A notice, document or information which is published or given in accordance with a provision of the PA 2023 listed in paragraph (3) must be published or given by publishing it on the central digital platform.

(2) The “central digital platform” is the online system established by the Minister for the Cabinet Office and which may be accessed on [www.gov.uk](http://www.gov.uk)(c).

(3) The provisions are—

- (a) section 15(1) (planned procurement notices)(d),
- (b) section 17(1)(a) (preliminary market engagement notices),
- (c) section 21(1) (tender notices),
- (d) section 24(4) (refining award criteria), in respect of republishing tender notices only,

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(a) The Agreement can be seen here: <https://www.mfat.govt.nz/en/trade/free-trade-agreements/free-trade-agreements-in-force/cptpp/comprehensive-and-progressive-agreement-for-trans-pacific-partnership-text-and-resources/>

(b) The Agreement can be seen here: [https://www.wto.org/english/tratop\\_e/gproc\\_e/gpa\\_1994\\_e.htm](https://www.wto.org/english/tratop_e/gproc_e/gpa_1994_e.htm)

(c) See here: <https://www.gov.uk/find-tender>

(d) Planned procurement notices include qualifying planned procurement notices by virtue of section 15(3) of the Procurement Act 2023.

- (e) section 31(5) (modifying a section 19 procurement), in respect of republishing tender notices only,
- (f) section 39(2) (dynamic market notices: intention to establish a dynamic market)(a),
- (g) section 39(3) (dynamic market notices: establishment of a dynamic market),
- (h) section 39(4) (dynamic market notices: modifications to a dynamic market),
- (i) section 39(5) (dynamic market notices: cessation of a dynamic market),
- (j) section 44(1) (transparency notices),
- (k) section 50(1) (contract award notices),
- (l) section 52(3) (key performance indicators),
- (m) section 53(1) (contract details notices),
- (n) section 53(3) (copies of contracts),
- (o) section 55(2) (procurement termination notices),
- (p) section 69(1) (payments compliance notices),
- (q) section 71(2)(b) (contract performance: information relating to the assessment of performance against key performance indicators),
- (r) section 71(5) (contract performance: breach of public contract or failure to perform),
- (s) section 75(1) (contract change notices),
- (t) section 75(5) (contract change notices: modifications taken together),
- (u) section 77(1) (contract modifications),
- (v) section 80(1) (contract termination notices),
- (w) section 87(1) (below-threshold tender notices),
- (x) section 87(3) (contract details notices following notifiable below-threshold contracts),
- (y) section 93(2) (pipeline notices), and
- (z) section 94(3) (information being withheld).

(4) The requirement in paragraph (1) to publish or give a notice, document or information by publication on the central digital platform is met where the contracting authority has submitted the notice, document or information to the platform and—

- (a) the Minister for the Cabinet Office has informed the contracting authority that the notice, document or information has successfully been submitted to the platform, or
- (b) the notice, document or information is capable of being accessed by suppliers and members of the public on the platform.

(5) If all of the conditions in paragraph (6) are met the contracting authority may publish or give the notice, document or information by publishing the notice, document or information on an alternative online system and in doing so the authority is to be treated as meeting for the time being the requirement in paragraph (1).

(6) The conditions are that—

- (a) in the case of a notice mentioned in paragraph (7), no less than 4 hours have passed since the notice was submitted to the central digital platform,
- (b) in the case of any other notice, document or information, no less than 48 hours have passed since the notice, document or information was submitted to the platform,

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(a) Dynamic market notices under section 39(2) include qualifying utilities dynamic market notices by virtue of section 40(6) of the Procurement Act 2023.

- (c) the contracting authority has not received confirmation from the Minister for the Cabinet Office that the notice, document or information has successfully been published on the platform, and
  - (d) the notice, document or information is not capable of being accessed by members of the public on the platform.
- (7) The notice is a transparency notice<sup>(a)</sup>, contract award notice or contract details notice relating to—
- (a) the direct award of a public contract pursuant to regulations made under section 42 of the PA 2023 (direct award to protect life, etc), or
  - (b) the direct award of a public contract pursuant to paragraphs 13 and 14 of Schedule 5 to the PA 2023 (urgency).
- (8) The contracting authority is no longer to be treated as meeting for the time being the requirement in paragraph (1) if the Minister for the Cabinet Office informs the contracting authority that the submission of the notice, document or information to the central digital platform has been rejected.
- (9) A contracting authority which uses an alternative online system in accordance with paragraph (5) must cooperate with the Minister for the Cabinet Office to ensure that the notice, document or information in question is subsequently—
- (a) published on the central digital platform, and
  - (b) capable of being accessed by members of the public on the platform.
- (10) An “alternative online system” is an online system for publishing procurement information which is—
- (a) free of charge and capable of being accessed by suppliers and members of the public,
  - (b) accessible to people with disabilities, and
  - (c) not the central digital platform.
- (11) Nothing in this regulation prevents a contracting authority from publishing the notice, document or information other than on the central digital platform or an alternative online system but the authority must not do so before publishing the notice, document or information on that platform or system.

### **Sharing core supplier information through central digital platform**

**6.—**(1) This regulation applies to a contracting authority where a supplier gives core supplier information to the authority during a procedure listed in paragraph (2) with a view to the award of a public contract.

- (2) The procedures are—
- (a) an open procedure<sup>(b)</sup>,
  - (b) a competitive flexible procedure,
  - (c) a direct award under section 41 or 43 of the PA 2023, or
  - (d) a competitive selection process for frameworks under section 46 of the PA 2023.

(3) If the core supplier information is given during an open procedure or a competitive flexible procedure, the contracting authority must obtain confirmation from the supplier that the supplier has taken the steps set out in paragraph (5) before the end of the tendering period.

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<sup>(a)</sup> For an index of defined expressions related to expressions used in the Procurement Act 2023, certain of which, for example “transparency notice”, are also used in these Regulations, see section 124 of that Act.

<sup>(b)</sup> For the meaning of “open procedure” see section 20 of the Procurement Act 2023.

(4) If the core supplier information is given before a direct award under section 41 or 43 of the PA 2023, or during a competitive selection process for frameworks under section 46 of that Act, the contracting authority must obtain confirmation from the supplier that the supplier has taken the steps set out in paragraph (5) before the award of the public contract.

(5) The steps are—

- (a) the supplier has registered on the central digital platform,
- (b) the supplier has submitted its up-to-date core supplier information to that platform, and
- (c) the supplier has given that up-to-date core supplier information to the contracting authority by means of a facility provided on that platform for the purpose of sharing core supplier information.

(6) Paragraph (7) applies where—

- (a) a supplier has given up-to-date core supplier information to a contracting authority during a procedure listed in paragraph (2), and
- (b) the supplier's core supplier information subsequently changes and the supplier gives updated or corrected core supplier information to the contracting authority before the award of the public contract.

(7) The contracting authority must obtain a further confirmation from the supplier that the supplier has taken the steps set out in paragraph (8) before the award of the public contract.

(8) The steps are—

- (a) the supplier has submitted the updated or corrected core supplier information to the central digital platform, and
- (b) the supplier has given the updated or corrected core supplier information to the contracting authority by means of a facility provided on that platform for the purpose of sharing core supplier information.

(9) In these Regulations “core supplier information” means—

- (a) the supplier's basic information set out in regulation 9,
- (b) the supplier's economic and financial standing information set out in regulation 10,
- (c) the supplier's connected person information set out in regulation 11, and
- (d) the supplier's exclusion grounds information set out in regulation 12.

(10) In this regulation “tendering period” has the meaning given by section 54(5) of the PA 2023.

(11) In this regulation a reference to a facility provided on the central digital platform includes a reference to a facility to download information to be forwarded on to a contracting authority by a supplier.

(12) This regulation is subject to regulation 7.

#### **Core supplier information: platform not working, urgency, private utilities**

7.—(1) Where, in respect of core supplier information given during an open procedure or a competitive flexible procedure, a contracting authority cannot obtain confirmation from the supplier that the supplier has taken the steps in regulation 6(5) before the end of the tendering period due to the reason in paragraph (2), paragraph (3) applies.

(2) The reason is that the supplier could not reasonably register on, submit information to, or use a facility for giving information through, the central digital platform because that platform was not working properly during any period before the end of the tendering period.

(3) The contracting authority must obtain confirmation from the supplier that the supplier has taken the steps set out in regulation 6(5) as soon as practicable and in any event before the award of the contract.

(4) In the case of a direct award of a public contract pursuant to paragraphs 13 and 14 of Schedule 5 to the PA 2023 (urgency), regulation 6 is to be read as if—

- (a) the reference in paragraph (4) to the contracting authority obtaining confirmation before the award of the public contract were a reference to the authority obtaining confirmation as soon as practicable and in any event before the date when the contract details notice is published, and
- (b) paragraphs (6) to (8) were omitted.

(5) Regulation 6 does not apply to a private utility in the case of a direct award of a public contract pursuant to paragraphs 13 and 14 of Schedule 5 to the PA 2023 (urgency).

### **Unique identifiers and exemption from publishing them on alternative online system**

**8.—**(1) In these Regulations, “unique identifier” means—

- (a) in the case of a procurement, the unique code allocated by the central digital platform when the first notice relating to the procurement is published on that platform, other than in the circumstances set out in paragraph (b),
- (b) in the case of a procurement where there has been a switch to a direct award in accordance with section 43 of the PA 2023, the unique code allocated by the central digital platform when the transparency notice relating to the contract is published on that platform,
- (c) in the case of a contract, the unique code which enables a reader of a notice referring to the contract to distinguish the contract from other contracts awarded under the same procurement procedure,
- (d) in the case of a dynamic market, the unique code allocated by the central digital platform when the first of the following notices is published on that platform in relation to the dynamic market—
  - (i) any pipeline notice,
  - (ii) any preliminary market engagement notice, or
  - (iii) the first dynamic market notice, and
- (e) in the case of—
  - (i) a supplier,
  - (ii) a contracting authority,
  - (iii) a person carrying out a procurement, or part of a procurement, on behalf of a contracting authority, or
  - (iv) a person other than a contracting authority who is establishing a dynamic market in accordance with section 35(3) of the PA 2023,

the unique code which is submitted to the central digital platform and is recognised by that platform or, where no such code is submitted and recognised, is the unique code which is allocated by that platform when the person registers on that platform.

(2) Paragraph (3) applies where a contracting authority publishes a notice, document or information mentioned in regulation 5(3) on an alternative online system under regulation 5(5).

(3) The contracting authority is not required to publish any unique identifier in accordance with this Part until that notice, document or information is subsequently published on the central digital platform under regulation 5(9).



## Supplier's basic information

- 9.—(1) This regulation sets out the supplier's basic information.
- (2) Where the supplier is an individual, the information is—
- (a) the supplier's name,
  - (b) the unique identifier for the supplier,
  - (c) the supplier's contact postal address and email address,
  - (d) where the supplier has a website, the website address,
  - (e) the supplier's VAT registration number (within the meaning of section 5A of the Value Added Tax Act 1994<sup>(a)</sup>), if applicable, and
  - (f) details of any relevant qualification or trade assurance held by the individual, including—
    - (i) in the case of a qualification, the name of the person or body which awarded the qualification, the name of the qualification and the date it was awarded, and
    - (ii) in the case of a trade assurance, the name of the person or body which awarded the assurance, the assurance reference number and the date the assurance was given.
- (3) Where the supplier is not an individual, the information is—
- (a) the supplier's name,
  - (b) the unique identifier for the supplier,
  - (c) the supplier's registered or principal office address,
  - (d) the supplier's contact postal address and email address,
  - (e) where the supplier markets its goods, services or works online, the relevant website address,
  - (f) the supplier's legal form and the law by which it is governed,
  - (g) where the supplier is a company registered under the CA 2006<sup>(b)</sup>, the date when the supplier was registered under that Act,
  - (h) where the supplier is not a company registered under the CA 2006—
    - (i) any equivalent date to that mentioned in sub-paragraph (g), or
    - (ii) where there is no equivalent date, the date the supplier began trading,
  - (i) the supplier's VAT registration number (within the meaning of section 5A of the Value Added Tax Act 1994), if applicable,
  - (j) details of any relevant qualification or trade assurance held by the supplier, including—
    - (i) in the case of a qualification, the name of the person or body which awarded the qualification, the name of the qualification and the date it was awarded, or
    - (ii) in the case of a trade assurance, the name of the person or body which awarded the registration, the assurance reference number and the date the assurance was given, and
  - (k) whether the supplier is—
    - (i) a small and medium-sized enterprise<sup>(c)</sup>,
    - (ii) a non-governmental organisation that is value-driven and which principally reinvests its surpluses to further social, environmental or cultural objectives,
    - (iii) a supported employment provider, or

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(a) 1994 c. 23. Section 5A was inserted by the Taxation (Post-transition Period) Act 2020 (c. 26).

(b) 2006 c. 46.

(c) For the meaning of "small and medium-sized enterprises" see section 123 of the Procurement Act 2023.

- (iv) a public service mutual.

### **Supplier's economic and financial standing information**

- 10.**—(1) This regulation sets out the supplier's economic and financial standing information.
- (2) The information is—
- (a) in the case of a supplier whose accounts were required to be audited for both of the supplier's most recent two financial years in accordance with Part 16 of the CA 2006, a copy of those accounts,
  - (b) in the case of a supplier whose accounts were required to be audited for the supplier's most recent financial year in accordance with Part 16 of the CA 2006, but not the financial year immediately preceding that, a copy of those accounts,
  - (c) in the case of a supplier whose accounts were required to be audited for both of the supplier's most recent two financial years in accordance with an overseas equivalent to Part 16 of the CA 2006, a copy of those accounts,
  - (d) in the case of a supplier whose accounts were required to be audited for the supplier's most recent financial year in accordance with an overseas equivalent to Part 16 of the CA 2006, but not the financial year immediately preceding that, a copy of those accounts, or
  - (e) in the case of any other supplier—
    - (i) if the supplier was in business for both of the supplier's most recent financial years, accounts or other information for both of those years, or
    - (ii) if the supplier was in business for the supplier's most recent financial year but not the financial year immediately preceding that, accounts or other information for the supplier's most recent financial year,which is equivalent to information contained in accounts audited in accordance with Part 16 of the CA 2006, so far as those accounts or that other information can reasonably be given.
- (3) In paragraph (2)(a) and (b) "financial year" has the same meaning as in section 390 of the CA 2006.

### **Supplier's connected person information**

- 11.**—(1) This regulation sets out the supplier's connected person information.
- (2) The information is the information in this regulation for each connected person of the supplier.
- (3) Paragraph (4) sets out the information where—
- (a) the supplier is a company registered under the CA 2006,
  - (b) the connected person is a person with significant control<sup>(a)</sup> over the supplier, and
  - (c) the connected person is registrable.
- (4) The information is—
- (a) the connected person's name, date of birth and nationality,
  - (b) the connected person's service address,
  - (c) which of the specified conditions in Part 1 of Schedule 1A to the CA 2006 applies,

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<sup>(a)</sup> For the meanings of "significant control" as well as the following terms used in this regulation, see paragraph 45 of Schedule 6 to the Procurement Act 2023. The terms are "director", "event", "parent undertaking", "subsidiary undertaking", "predecessor company" and "shadow director".

- (d) the date when the connected person became registrable as a person with significant control, if applicable, and
  - (e) the name of the PSC register on which the connected person is registered as a person with significant control, if applicable.
- (5) Paragraph (6) sets out the information where—
- (a) the supplier is a company registered under the CA 2006,
  - (b) the connected person is a relevant legal entity, and
  - (c) the connected person is registrable.
- (6) The information is—
- (a) the connected person’s name,
  - (b) the connected person’s registered or principal office address,
  - (c) the connected person’s service address,
  - (d) the connected person’s legal form and the law by which it is governed,
  - (e) which of the specified conditions in Part 1 of Schedule 1A to the CA 2006 applies,
  - (f) the date when the connected person became registrable as a relevant legal entity, if applicable, and
  - (g) the name of the PSC register on which the connected person is registered as a relevant legal entity, if applicable.
- (7) Paragraph (8) sets out the information where—
- (a) the supplier is a company registered under the CA 2006, and
  - (b) the connected person is—
    - (i) a director or shadow director of the supplier, and
    - (ii) an individual.
- (8) The information is—
- (a) the connected person’s name, date of birth and nationality,
  - (b) the connected person’s service address, and
  - (c) the country or state (or part of the United Kingdom) in which the connected person is usually resident.
- (9) Paragraph (10) sets out the information where—
- (a) the supplier is a company registered under the CA 2006, and
  - (b) the connected person is—
    - (i) a director or shadow director of the supplier, and
    - (ii) not an individual.
- (10) The information is—
- (a) the connected person’s name,
  - (b) the connected person’s registered or principal office address,
  - (c) the connected person’s service address,
  - (d) the connected person’s legal form and the law by which it is governed, and
  - (e) where the connected person is a company registered under the CA 2006, the person’s registration number given under that Act.
- (11) Paragraph (12) sets out the information where—
- (a) the supplier is a company registered under the CA 2006, and

- (b) the connected person is a parent undertaking or a subsidiary undertaking of the supplier.
- (12) The information is—
- (a) the name of the connected person,
  - (b) the connected person’s registered or principal office address,
  - (c) the connected person’s service address, and
  - (d) where the connected person is a company registered under the CA 2006, the registration number given under that Act.
- (13) Paragraph (14) sets out the information where—
- (a) the supplier is a company registered under the CA 2006, and
  - (b) the connected person is a predecessor company of the supplier.
- (14) The information is—
- (a) the name of the connected person,
  - (b) the connected person’s last registered or principal office address,
  - (c) where the connected person is a company registered under the CA 2006, the registration number given under that Act, and
  - (d) the date when the connected person became insolvent and ceased to trade.
- (15) Paragraph (16) sets out the information where—
- (a) the supplier is not a company registered under the CA 2006, and
  - (b) the connected person can reasonably be considered to stand in an equivalent position in relation to the supplier as the connected person described in paragraph (3), (5), (7), (9), (11) or (13).
- (16) The information is information which can reasonably be considered to be equivalent to that referred to in paragraph (4), (6), (8), (10), (12) or (14) (as the case may be).
- (17) Paragraph (18) sets out the information for a connected person to whom none of paragraphs (3), (5), (7), (9), (11), (13) or (15) apply—
- (a) with the right to exercise, or who actually exercises, significant influence or control over the supplier, or
  - (b) over which the supplier has the right to exercise, or actually exercises, significant influence or control.
- (18) The information is—
- (a) the connected person’s name,
  - (b) the connected person’s registered or principal office address,
  - (c) the connected person’s service address,
  - (d) the connected person’s legal form and the law by which it is governed,
  - (e) where the connected person is a company registered under the CA 2006, the registration number given under that Act,
  - (f) where the connected person is an overseas equivalent to a company registered under the CA 2006, the equivalent to a registration number issued under the CA 2006,
  - (g) which of the specified conditions in Part 1 of Schedule 1A to the CA 2006 applies, and
  - (h) the date when the connected person became registrable as a person with significant control, if applicable.
- (19) In this regulation—
- “registrable”—

(a) in respect of a person with significant control, has the meaning given by section 790C(4) of the CA 2006;

(b) in respect of a relevant legal entity, has the meaning given by 790C(8) of the CA 2006;

“relevant legal entity” has the meaning given by section 790C(6) of the CA 2006;

“service address” has the meaning given by section 1141 of the Companies Act 2006.

### **Supplier’s exclusion grounds information**

**12.—**(1) Paragraphs (2) to (13) set out the supplier’s exclusion grounds information.

(2) Whether the supplier or a connected person has been convicted of an offence referred to in the following paragraphs of Schedule 6 to the PA 2023—

- (a) paragraph 2 (corporate manslaughter or corporate homicide);
- (b) paragraph 3 (terrorism);
- (c) paragraphs 4 to 18 (theft, fraud, bribery etc);
- (d) paragraphs 19 to 26 (labour market, slavery and human trafficking offences);
- (e) paragraphs 27 to 28 (organised crime);
- (f) paragraphs 29 to 31 (tax offences);
- (g) paragraph 32 (cartel offence);
- (h) paragraph 33 (ancillary offences);
- (i) paragraph 34 (offences committed outside the United Kingdom).

(3) Whether the supplier or a connected person has been the subject of an event referred to in the following paragraphs of Schedule 6 to the PA 2023—

- (a) paragraph 36 (penalties for transactions connected with VAT fraud and evasion of tax or duty);
- (b) paragraph 37 (penalties payable for errors in tax documentation and failure to notify and certain VAT and excise wrongdoing);
- (c) paragraph 38 (adjustments for tax arrangements that are abusive);
- (d) paragraph 39 (finding by HMRC, in exercise of its powers in respect of VAT, of abusive practice);
- (e) paragraph 40 (defeat in respect of notifiable tax arrangements);
- (f) paragraph 41 (competition law infringements);
- (g) paragraph 42 (equivalents outside the United Kingdom).

(4) Whether, in respect of paragraph 43 of Schedule 6 to the PA 2023 (failure to cooperate with investigation)—

- (a) an appropriate authority has given the supplier or a connected person notice under section 60(6) of the PA 2023, and
- (b) the supplier or connected person has failed to comply with the notice before the end of the period specified in the notice.

(5) Whether the supplier or a connected person has been the subject of an event referred to in the following paragraphs of Schedule 7 to the PA 2023—

- (a) paragraph 1 (orders relating to labour market misconduct);
- (b) paragraph 4 (offence relating to environmental misconduct);
- (c) paragraph 5 (insolvency bankruptcy etc);

- (d) paragraph 6 (suspension or ceasing to carry on all or a substantial part of business);
  - (e) paragraph 9 (infringement of Competition Act 1998, Chapter II prohibition or equivalent outside United Kingdom);
  - (f) paragraph 11(2) (court etc ruling of professional misconduct);
  - (g) paragraph 12 (breach of contract and poor performance).
- (6) Whether, in respect of paragraph 2 of Schedule 7 to the PA 2023 (labour market misconduct), the supplier or a connected person—
- (a) has been, or is being, investigated for conduct outside the United Kingdom that could result in an order mentioned in paragraph 1 of Schedule 7 to the PA 2023 being made if the conduct occurred in the United Kingdom, or
  - (b) has engaged in such conduct.
- (7) Whether, in respect of paragraph 3 of Schedule 7 to the PA 2023 (labour market misconduct), the supplier or a connected person—
- (a) has been, or is being, investigated for conduct (whether in or outside the United Kingdom) constituting (or that would, if it occurred in the United Kingdom, constitute) an offence referred to in—
    - (i) section 1, 2, 4 or 30 of the Modern Slavery Act 2015(a),
    - (ii) section 1, 4 or 32 of the Human Trafficking and Exploitation (Scotland) Act 2015(b), or
    - (iii) section 1, 2 or 4 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015(c), or paragraph 16 of Schedule 3 to that Act, or
  - (b) has engaged in such conduct.
- (8) Whether, in respect of paragraph 7 of Schedule 7 to the PA 2023 (potential competition infringements)—
- (a) the supplier or a connected person has been, or is being, investigated over whether an agreement or concerted practice to which the supplier or a connected person is party has infringed—
    - (i) the Chapter I prohibition (within the meaning given by section 2 of the Competition Act 1998(d)), or
    - (ii) any substantially similar prohibition applicable in a jurisdiction outside the United Kingdom, or
  - (b) an agreement or concerted practice to which the supplier or a connected person is party has infringed such prohibitions,
- except in the circumstances mentioned in sub-paragraph (2) of paragraph 7.
- (9) Whether, in respect of paragraph 8 of Schedule 7 to the PA 2023 (potential competition infringements), the supplier or a connected person—
- (a) has been, or is being, investigated over whether the supplier or a connected person has infringed—
    - (i) the Chapter II prohibition (within the meaning given by section 18 of the Competition Act 1998), or

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(a) 2015 c. 30.  
 (b) 2015 asp 12.  
 (c) 2015 c. 2 (N.I.).  
 (d) 1998 c. 41.

- (ii) any substantially similar prohibition applicable in a jurisdiction outside the United Kingdom, or
  - (b) has infringed such prohibitions.
- (10) Whether, in respect of paragraph 10 of Schedule 7 to the PA 2023 (potential competition law infringements), the supplier or a connected person—
- (a) has been, or is being, investigated for conduct constituting—
    - (i) an offence under section 188 of the Enterprise Act 2002 (cartel offence)(a), or
    - (ii) a substantially similar offence under the law of a country or territory outside the United Kingdom, or
  - (b) has engaged in such conduct,
- except in the circumstances mentioned in sub-paragraph (2) of paragraph 10.
- (11) Whether, in respect of paragraph 11 of Schedule 7 to the PA 2023 (professional misconduct), the supplier or a connected person—
- (a) has been, or is being, investigated for professional misconduct which brings into question the supplier’s integrity, or
  - (b) has engaged in such misconduct.
- (12) Whether, in respect of paragraph 13 of Schedule 7 to the PA 2023, the supplier or a connected person—
- (a) has been, or is being, investigated over whether the supplier acted improperly in relation to any procurement, and in so doing, put itself at an unfair advantage in relation to the award of a public contract, or
  - (b) has acted improperly in that way.
- (13) If the supplier or one or more connected persons has been the subject of an event mentioned in paragraphs (2) to (12), the following information in respect of each person who has been the subject of an event—
- (a) a short description of the event,
  - (b) the name of the person who is the subject of the event,
  - (c) the person’s name, contact postal address and email address,
  - (d) in the case of a conviction or other event where there is a recorded decision of a public authority which is the authoritative basis for the conviction or other event—
    - (i) a link to the web page where the decision can be accessed, or
    - (ii) a copy of the decision,
  - (e) any evidence that the person who is the subject of the event—
    - (i) took the event seriously, for example by paying any fine or compensation,
    - (ii) took steps to prevent the event occurring again, for example by changing staff or management, or putting procedures or training in place, and
    - (iii) committed to taking further preventative steps, where appropriate, and
  - (f) if the circumstances which led to the event have ended, the date when they ended.
- (14) For the meaning of “event”—
- (a) in relation to a provision of Schedule 6 to the PA 2023, see paragraph 45 of that Schedule;

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(a) 2002 c. 40.

- (b) in relation to a provision of Schedule 7 to the PA 2023, see paragraph 16 of that Schedule.

### **Contracting authority information**

- 13.** In these Regulations, “contracting authority information” means—
- (a) where there is one contracting authority for a procurement, the name of the contracting authority,
  - (b) where there are two or more contracting authorities acting jointly for a procurement—
    - (i) the name of the contracting authority that the contracting authorities acting jointly determine is the lead authority for the procurement, and
    - (ii) the name of each of the other contracting authorities,
  - (c) a contact postal address and email address for the contracting authority or for each contracting authority acting jointly,
  - (d) the unique identifier for the contracting authority or for each contracting authority acting jointly,
  - (e) for any person carrying out the procurement, or part of the procurement, on behalf of the contracting authority or one or more of the contracting authorities acting jointly—
    - (i) the person’s name,
    - (ii) the person’s contact postal address and email address,
    - (iii) the person’s unique identifier, and
    - (iv) a summary of the person’s role, and
  - (f) in respect of a notice published by the contracting authority, the name, contact postal address and email address of the person who should be contacted in the event of an enquiry about the notice.

### **Contract subject-matter**

- 14.—(1)** In these Regulations, “contract subject-matter” means the following information, so far as it is known to the contracting authority when the information is published—
- (a) whether the contract is mainly for the supply of goods, services or works,
  - (b) a description of the kinds of goods, services or works which will be supplied,
  - (c) a summary of how those goods, services or works will be supplied,
  - (d) the estimated date when, or period over which, the goods, services or works will be supplied,
  - (e) the estimated amount of goods, services or works which will be supplied,
  - (f) the relevant CPV codes, and
  - (g) the geographical classification, where it is possible to describe this.
- (2)** In these Regulations, “geographical classification” means—
- (a) the area where the goods, services or works are to be supplied in the United Kingdom, by reference to the relevant ITL 1, ITL 2, and ITL 3 areas listed on the webpage entitled “International Geographies” on the website for the Office for National Statistics<sup>(a)</sup> as amended from time to time, or

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(a) Here is a link to this webpage: <https://www.ons.gov.uk/methodology/geography/ukgeographies/eurostat>



- (b) where the goods, services or works are to be supplied outside the United Kingdom, the name of the country and, where appropriate, the region where they are to be supplied.

### **Pipeline notices**

**15.—**(1) This regulation sets out what information must be included in a pipeline notice published under section 93(2) of the PA 2023.

(2) The information is, for each procurement set out in the pipeline notice—

- (a) the contracting authority information,
- (b) the title of the procurement,
- (c) the unique identifier for the procurement,
- (d) the contract subject-matter, and
- (e) the estimated date when the following will be published—
  - (i) the tender notice for the public contract, or
  - (ii) the transparency notice for the public contract.

(3) Nothing in this regulation prevents a contracting authority from publishing other relevant information in the notice.

### **Planned procurement notices**

**16.—**(1) This regulation sets out other information which must be included in a planned procurement notice published under section 15(1) of the PA 2023.

(2) The information is—

- (a) the contracting authority information,
- (b) the title of the procurement,
- (c) the unique identifier for the procurement,
- (d) the contract subject-matter,
- (e) the estimated date when the tender notice for the public contract will be published,
- (f) the estimated date by when suppliers will be asked to submit requests to participate in any tender procedure or tenders,
- (g) which of the following procedures is expected to be used—
  - (i) an open procedure, or
  - (ii) a competitive flexible procedure,
- (h) whether the public contract will be awarded by reference to suppliers' membership of a dynamic market,
- (i) the estimated date when the public contract will be awarded,
- (j) how documents relating to the procurement may be obtained,
- (k) a statement explaining how and when an interest in the contract may be expressed, and
- (l) as much of the information relating to tender notices which is referred to in regulation 18(2), 19(2), 20(2), 21(2) or 22(2) (as the case may be) that is available to the contracting authority at the time of publishing the planned procurement notice.

(3) Nothing in this regulation prevents a contracting authority from publishing other information that relates to the same procurement in a planned procurement notice.

### **Preliminary market engagement notices**

**17.**—(1) This regulation sets out other information which must be included in a preliminary market engagement notice published under section 17(1)(a) of the PA 2023.

(2) The information is—

- (a) the contracting authority information,
- (b) the title of the procurement,
- (c) the unique identifier for the procurement,
- (d) the contract subject-matter,
- (e) either—
  - (i) the date when the contracting authority intends to close the preliminary market engagement, or
  - (ii) the date when the preliminary market engagement closed, and
- (f) a description of the process by which the contracting authority proposes to engage, or has engaged, with suppliers during the preliminary market engagement, for example—
  - (i) the location, date and time of events, and
  - (ii) any periods for the submission of expressions of interest and information by suppliers.

(3) Nothing in this regulation prevents a contracting authority from publishing other information that relates to the same procurement in the notice.

### **Tender notices: open procedure**

**18.**—(1) This regulation sets out other information which must be included in a tender notice for the award of a public contract through an open procedure published under section 21(1) of the PA 2023.

(2) The information is—

- (a) the contracting authority information,
- (b) the title of the procurement,
- (c) the unique identifier for the procurement,
- (d) a statement that the tender notice is for the award of a public contract through an open procedure in accordance with section 20(1) and (2)(a) of the PA 2023,
- (e) whether the tender notice relates to a special regime contract<sup>(a)</sup> and, if so, whether that contract is—
  - (i) a concession contract,
  - (ii) a defence and security contract,
  - (iii) a light touch contract, or
  - (iv) a utilities contract,
- (f) the contract subject-matter,
- (g) the estimated value of the public contract,
- (h) where the public contract is for goods, services or works which the contracting authority expects will be needed after the expiry of the contract—

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(a) For the meaning of “special regime contract”, see section 10(6) of the Procurement Act 2023.

- (i) whether the contracting authority intends to carry out a subsequent procurement of similar goods, services or works in reliance on the direct award justification in paragraph 8 of Schedule 5 to the PA 2023, or
  - (ii) an estimate, if possible, of the date when any subsequent tender notice will be published,
- (i) whether an electronic auction will be used and, if so, the technical details of how suppliers may participate in the electronic auction,
- (j) how tenders may be submitted and the date by when they must be submitted,
- (k) the award criteria, or a summary of the award criteria, for the public contract,
- (l) the languages in which tenders or enquiries in connection with the tendering procedure may be submitted,
- (m) whether the public contract is a contract for which the United Kingdom has obligations under the GPA,
- (n) from the date when the Comprehensive and Progressive Agreement for Trans-Pacific Partnership enters into force for the United Kingdom, whether the public contract is a contract for which the United Kingdom has obligations under that Agreement,
- (o) whether the public contract is awarded by reference to lots and, if so, for each lot—
  - (i) the title of the lot,
  - (ii) the distinct number given to the lot by the contracting authority,
  - (iii) the following information, so far as it is known to the contracting authority when the tender notice is published—
    - (aa) a description of the kinds of goods, services or works which will be supplied,
    - (bb) a summary of how those goods, services or works will be supplied,
    - (cc) the estimated date when, or period over which, the goods, services or works will be supplied,
    - (dd) the estimated amount of goods, services or works which will be supplied,
    - (ee) the estimated value of the lot,
    - (ff) the relevant CPV codes,
    - (gg) the relevant award criteria in relation to the lot,
    - (hh) any option in relation to the lot, and
    - (ii) the geographical classification, where it is possible to describe this,
- (p) Where the public contract is awarded by reference to lots—
  - (i) whether a supplier may only submit a tender for a maximum number of lots and, if so, the maximum number,
  - (ii) whether a supplier may only be awarded a maximum number of lots and, if so, the maximum number, and
  - (iii) whether the authority will award multiple lots to the same supplier in accordance with criteria and, if so, a summary of the criteria,
- (q) where the contracting authority considers under section 18(2) of the PA 2023 that the public contract could be awarded by reference to lots but it is not, the reasons for this, except in the case of a utilities contract or a light touch contract,
- (r) a description of any option which will be included in the public contract—
  - (i) to supply additional goods, services or works, or

- (ii) to extend or renew the term of the contract,
- (s) whether the contracting authority proposes to set the shortest minimum tendering period by reference to one of the following entries in the table in section 54(4) of the PA 2023 and, if so, which entry—
  - (i) entry 2 (certain contracts awarded by a contract authority which is not a central government authority subject to a negotiated tender period);
  - (ii) entry 3 (certain contracts awarded by a contracting authority which is not a central government authority where tenders may be submitted only by preselected suppliers);
  - (iii) entry 4 (a qualifying planned procurement notice has been issued);
  - (iv) entry 5 (state of urgency),
- (t) whether the contracting authority considers that the public contract or any lot forming part of the contract may be particularly suitable to be awarded—
  - (i) to a small and medium-sized enterprise, or
  - (ii) to a non-governmental organisation that is value-driven and which principally reinvests its surpluses to further social, environmental or cultural objectives,
- (u) whether associated tender documents are being provided in accordance with the tender notice at the same time that the notice is published and, if so—
  - (i) the title of each associated tender document,
  - (ii) whether each associated tender document is attached to the tender notice, and
  - (iii) if an associated tender document is not attached to the tender notice, a link to the web page where it is provided,
- (v) whether an associated tender document is being, or may be, provided in accordance with the tender notice after the date when that notice is published and, if so, a link to the web page where it will be provided, or an explanation of how the document will be provided,
- (w) a description of any technical specifications which are expected to be met or a cross reference to where they can be accessed,
- (x) a description of any conditions of participation under section 22 of the PA 2023,
- (y) any payment terms (in addition to those mentioned in section 68 of the PA 2023),
- (z) a description identifying any risk that—
  - (i) the contracting authority considers could jeopardise the satisfactory performance of the public contract, but because of its nature, may not be addressed in the public contract as awarded, and
  - (ii) may require a subsequent modification to the public contract under paragraph 5 of Schedule 8 to the PA 2023 (modification of contract following materialisation of a known risk), and
- (z1) the estimated date when the public contract will be awarded.

(3) In paragraph (2), “electronic auction” means an iterative process that involves the use of electronic means for the presentation by suppliers of either new prices, or new values for quantifiable non-price elements of the tender related to the evaluation criteria, or both, resulting in a ranking or re-ranking of tenders.

(4) Nothing in this regulation prevents a contracting authority from publishing other information that relates to the same procurement in the notice.

(5) This regulation does not apply to a tender notice for the award of a framework through an open procedure (see instead regulation 20).

### **Tender notices: competitive flexible procedure**

**19.**—(1) This regulation sets out other information which must be included in a tender notice for the award of a public contract through a competitive flexible procedure published in accordance with section 21(1) of the PA 2023.

(2) The information is—

- (a) the same information referred to in regulation 18(2) except sub-paragraphs (d) and (j),
- (b) a statement that the tender notice is for the award of a public contract through a competitive flexible procedure in accordance with section 20(1) and (2)(b) of the PA 2023,
- (c) a description of the process to be followed during the procedure, including—
  - (i) whether the procedure may include negotiation at any stage,
  - (ii) if the contracting authority proposes to rely on section 24 of the PA 2023 (refining award criteria), a summary of how it will rely on that section,
- (d) where the number of suppliers is, or may be, no more than an intended maximum number of suppliers, generally or in respect of particular tendering rounds or other selection processes, the maximum number of suppliers and the criteria used to select the limited number of suppliers,
- (e) where the number of suppliers is, or may be, no less than an intended minimum number of suppliers, generally or in respect of particular tendering rounds or other selection processes, the intended minimum number of suppliers,
- (f) where the tender notice is being used for the purpose of inviting suppliers to submit a request to participate, how requests to participate may be submitted and the date by when they must be submitted,
- (g) where the tender notice is being used for the purpose of inviting suppliers to submit their first, or only, tender, how tenders may be submitted and the date by when they must be submitted, and
- (h) whether the tender notice is being used—
  - (i) to reserve a contract to supported employment providers in accordance with section 32 of the PA 2023, or
  - (ii) to reserve a contract to public service mutuals in accordance with section 33 of the PA 2023.

(3) Nothing in this regulation prevents a contracting authority from publishing other information that relates to the same procurement in the notice.

(4) This regulation does not apply to—

- (a) a tender notice for the award of a framework through a competitive flexible procedure (see instead regulation 20), or
- (b) a tender notice for the award of a public contract by reference to suppliers' membership of a dynamic market (see instead regulation 21).

### **Tender notices: frameworks**

**20.**—(1) This regulation sets out other information which must be included in a tender notice for the award of a framework published under section 21(1) of the PA 2023.

(2) The information is—

- (a) where the open procedure is being used, the same information referred to in regulation 18(2),

- (b) where the competitive flexible procedure is being used, the same information referred to in regulation 19(2),
- (c) details of the selection process to be applied on the award of contracts,
- (d) the term of the framework,
- (e) the contracting authorities entitled to award contracts in accordance with the framework (whether by listing the names of those authorities or by describing categories of authorities),
- (f) whether the framework is being awarded under an open framework,
- (g) where the framework is being awarded under an open framework, the unique identifier for the procurement of the last framework awarded under the open framework (unless no framework has previously been awarded under the open framework),
- (h) where the framework is being awarded under an open framework, the estimated end date of the open framework,
- (i) whether the intention is to award the framework to—
  - (i) a single supplier,
  - (ii) a maximum number of suppliers, or
  - (iii) an unlimited number of suppliers,
- (j) where the intention is to award the framework to a maximum number of suppliers, the maximum number of suppliers,
- (k) whether the framework provides for the charging of fees in accordance with section 45(7) of the PA 2023, and, if so, the fixed percentage of the estimated value of any contract awarded to the supplier in accordance with the framework and any other information needed in order to enable suppliers to understand how fees will be charged, and
- (l) where the framework is being awarded by reference to suppliers' membership of a dynamic market—
  - (i) the unique identifier for the dynamic market against which the public contract is being awarded,
  - (ii) a statement that the tender notice is for the award of a public contract which is to be awarded by reference to suppliers' membership of a dynamic market, and
  - (iii) where the public contract is being awarded under an appropriate part of a dynamic market—
    - (aa) the title of the part, and
    - (bb) the distinct number given to the part by the person who established the dynamic market.

(3) Nothing in this regulation prevents a contracting authority from publishing other information that relates to the same procurement in the notice.

**Tender notices: dynamic markets except qualifying utilities dynamic markets**

**21.—**(1) This regulation sets out other information which must be included in a tender notice for the award of a public contract by reference to suppliers' membership of a dynamic market published under sections 21(1)(b) and 34(1) of the PA 2023.

(2) The information is—

- (a) the same information referred to in regulation 19(2),

- (b) the unique identifier for the dynamic market against which the public contract is being awarded,
- (c) a statement that the tender notice is for the award of a public contract which is to be awarded by reference to suppliers' membership of a dynamic market, and
- (d) where the public contract is being awarded to suppliers that are members of an appropriate part of a dynamic market—
  - (i) the title of the part, and
  - (ii) the distinct number given to the part by the person who established the dynamic market.

(3) Nothing in this regulation prevents a contracting authority from providing other information that relates to the same procurement in the notice.

(4) This regulation does not apply to a tender notice for the award of a framework by reference to suppliers' membership of a dynamic market (see instead regulation 20).

(5) This regulation does not apply to a tender notice of the type mentioned in regulation 22(1).

### **Tender notices: qualifying utilities dynamic market notices**

**22.—**(1) This regulation sets out other information which must be included in a tender notice for the award of a public contract by reference to a utilities dynamic market established under a qualifying utilities dynamic market notice provided under section 40(2) or (3) of the PA 2023.

(2) The information is—

- (a) the contracting authority information,
- (b) the unique identifier for the dynamic market against which the public contract is being awarded,
- (c) the contract subject-matter,
- (d) where the public contract is for goods, services or works which the contracting authority expects will be needed after the expiry of the contract, an estimate, if possible, of the date when any subsequent tender notice will be provided,
- (e) a description of any option which will be included in the public contract—
  - (i) to supply additional goods, services or works, or
  - (ii) to extend or renew the term of the contract,
- (f) whether an electronic auction will be used,
- (g) how requests to participate may be submitted and the date by when they must be submitted,
- (h) how tenders may be submitted and the date by when they must be submitted,
- (i) whether the contracting authority proposes to rely on one of the following minimum tendering periods mentioned in the table in section 54(4) of the PA 2023 and, if so, which one—
  - (i) entry 1 (contract being awarded is a light touch contract);
  - (ii) entry 2 (utilities contracts or contracts awarded by a contract authority which is not a central government authority subject to a negotiated tender period);
  - (iii) entry 3 (certain contracts awarded by a contracting authority which is not a central government authority where tenders may be submitted only by preselected suppliers);
  - (iv) entry 5 (state of urgency),
- (j) a description of the kinds of goods, services or works which will be supplied, and

(k) the estimated amount of goods, services or works which will be supplied.

(3) Where a contracting authority has already published information mentioned in paragraph (2) in the qualifying utilities dynamic market notice to which the tender notice relates in accordance with regulation 25(2)(i)(ii), the contracting authority is not required to provide that information in the tender notice.

(4) In paragraph (2), “electronic auction” has the meaning given by regulation 18(3).

(5) Nothing in this regulation prevents a contracting authority from providing other information in the notice.

#### **Associated tender documents**

**23.—**(1) This regulation sets out what information may be included in an associated tender document provided under section 21(3) of the PA 2023 in accordance with a tender notice.

(2) The document may include any information supplementing the tender notice including, where appropriate, information duplicating the information mentioned in—

- (a) regulation 18(2),
- (b) regulation 19(2),
- (c) regulation 20(2),
- (d) regulation 21(2), or
- (e) regulation 22(2),

(as the case may be).

#### **Below-threshold tender notices**

**24.—**(1) This regulation sets out other information which must be included in a below-threshold tender notice published under section 87(1) of the PA 2023.

(2) The information is—

- (a) the contracting authority information,
- (b) the title of the procurement,
- (c) the unique identifier for the procurement,
- (d) the contract subject-matter,
- (e) the estimated value of the contract,
- (f) how tenders may be submitted and the date by when they must be submitted,
- (g) whether the notice is being used to invite tenders for a special regime contract and, if so, whether that contract is a defence and security contract or a light touch contract,
- (h) whether the contracting authority considers that the contract or any lot forming part of the contract may be particularly suitable to be awarded—
  - (i) to a small and medium-sized enterprise, or
  - (ii) to a non-governmental organisation that is value-driven and which principally reinvests its surpluses to further social, environmental or cultural objectives,
- (i) an explanation of the criteria against which the award of the contract will be assessed, and
- (j) a description of any conditions of participation in relation to the award of the contract.

(3) Nothing in this regulation prevents a contracting authority from publishing other information that relates to the same procurement in the notice.



## **Dynamic market notices (including qualifying utilities dynamic market notices)**

**25.**—(1) Paragraph (2) sets out other information which must be included in a dynamic market notice published under section 39(2) of the PA 2023 (dynamic market notices: intention to establish a dynamic market).

(2) The information is—

- (a) the name of the person establishing the dynamic market,
- (b) where there are two or more persons who are jointly establishing the dynamic market—
  - (i) the name of the lead person, and
  - (ii) the name of each of the other persons,
- (c) a contact postal address and email address for the person establishing the dynamic market or where there are two or more persons jointly establishing the market that information for each such person,
- (d) the unique identifier for the person establishing the dynamic market or where there are two or more persons jointly establishing the market the unique identifier for each such person,
- (e) the name of any person (“A”) establishing the dynamic market on behalf of another person and—
  - (i) A’s contact postal address and email address,
  - (ii) A’s unique identifier, and
  - (iii) a summary of A’s role in relation to the dynamic market,
- (f) the name, contact postal address and email address of any person who can be contacted in the event of an enquiry about the dynamic market,
- (g) the title of the dynamic market,
- (h) the unique identifier for the dynamic market,
- (i) in the case of a qualifying utilities dynamic market notice—
  - (i) a statement that only members of the market, or part of the market, will be notified of a future intention to award a contract by reference to suppliers’ membership of the market, or part of the market, and provided with a tender notice in accordance with section 40(1) and (2) of the PA 2023, and
  - (ii) as much of the information as would be published in any tender notice published in accordance with regulation 21(2) that is available when the qualifying utilities dynamic market notice is published,
- (j) how documents relating to the dynamic market may be obtained,
- (k) how an application to join the dynamic market may be made,
- (l) whether the dynamic market is mainly for the supply of goods, services or works,
- (m) a description of the kinds of goods, services or works to which the dynamic market relates, given in such detail that a reader of the dynamic market notice can determine if they wish to apply to join the dynamic market, or appropriate part of the market,
- (n) the relevant CPV codes,
- (o) the conditions for membership of the dynamic market, or part of the market, set in accordance with section 36 of the PA 2023,
- (p) a description of the methods that will be used to verify whether a supplier meets those conditions, including any different conditions for different kinds of goods, services or works,

- (q) whether the dynamic market may be used to award a public contract for which the United Kingdom has obligations under the GPA,
- (r) from the date when the Comprehensive and Progressive Agreement for Trans-Pacific Partnership enters into force for the United Kingdom, whether the dynamic market is one for which the United Kingdom has obligations under that Agreement,
- (s) whether the dynamic market may be used to award a special regime contract and, if so, whether that contract is—
  - (i) a concession contract,
  - (ii) a defence and security contract,,
  - (iii) a light touch contract, or
  - (iv) a utilities contract,
- (t) where the dynamic market is divided into appropriate parts for the purpose of excluding suppliers that are not members of an appropriate part—
  - (i) the title of each part,
  - (ii) a description of each part including any relevant CPV codes, and
  - (iii) the distinct number given to each part by the person establishing the dynamic market,
- (u) information enabling a reader to identify which contracting authorities will, or may apply to, use the dynamic market (either by reference to a list of authorities or a list describing categories of authorities),
- (v) the geographical classification, where it is possible to describe this,
- (w) in the case of a dynamic market with an estimated date when it will cease to operate—
  - (i) the estimated date when the dynamic market will be established, and
  - (ii) the estimated date when the dynamic market will cease to operate,
- (x) in the case of a dynamic market without an estimated date when it will cease to operate—
  - (i) the estimated date when the dynamic market will be established, and
  - (ii) a statement that the dynamic market is an open-ended market,
- (y) in the case of a dynamic market which is not a utilities dynamic market, whether the dynamic market provides for the charging of fees in accordance with section 38(1) of the PA 2023 and if so—
  - (i) the fixed percentage to be applied to the estimated value of any public contract awarded to a supplier by reference to the dynamic market, and
  - (ii) any other information needed in order to enable suppliers to understand how fees will be charged, and
- (z) in the case of a utilities dynamic market—
  - (i) whether the utilities dynamic market provides for the charging of fees in accordance with section 38(3) of the PA 2023, and
  - (ii) if so, information needed in order to enable suppliers to understand how fees will be charged.

(3) Paragraph (4) sets out other information which must be included in a dynamic market notice published under section 39(3) of the PA 2023 (establishment of a dynamic market).

- (4) The information is—
  - (a) the same information referred to in paragraph (2)(a) to (h),
  - (b) the date on which the dynamic market was established,

- (c) for each supplier that is a member of the dynamic market—
  - (i) the supplier’s name,
  - (ii) the supplier’s contact postal address and email address,
  - (iii) the unique identifier for the supplier, and
  - (iv) whether the supplier is—
    - (aa) a small and medium-sized enterprise, or
    - (bb) a non-governmental organisation that is value-driven and which principally reinvests its surpluses to further social, environmental or cultural objectives, and
- (d) where the dynamic market is divided into parts, the part of which each of those suppliers is a member.

(5) Paragraph (6) sets out other information which must be included in a dynamic market notice published under section 39(4) of the PA 2023 (modifications to a dynamic market).

- (6) The information is—
  - (a) the same information referred to in paragraph (2)(a) to (h),
  - (b) the date from when the modification has effect,
  - (c) if a supplier is being admitted to the market, a statement to that effect and—
    - (i) their name, contact postal address, email address and unique identifier, and
    - (ii) where the dynamic market is divided into parts, the part of which the supplier is a member,
  - (d) whether the supplier is—
    - (i) a small and medium-sized enterprise, or
    - (ii) a non-governmental organisation that is value-driven and which principally reinvests its surpluses to further social, environmental or cultural objectives,
  - (e) if a supplier is being removed from the market, a statement to that effect and—
    - (i) their name, contact postal address, email address and unique identifier, and
    - (ii) where the dynamic market is divided into parts, the part of which the supplier is a member, and
  - (f) a summary of any other modification being made.

(7) Paragraph (8) sets out other information which must be included in a dynamic market notice published under section 39(5) of the PA 2023 (cessation of a dynamic market).

- (8) The information is—
  - (a) the same information referred to in paragraph (2)(a) to (h), and
  - (b) the date when the dynamic market ceased to operate.

(9) Nothing in this regulation prevents a contracting authority from publishing other information that relates to the same procurement in a dynamic market notice.

### **Transparency notices**

**26.—**(1) This regulation sets out other information which must be included in a transparency notice published under section 44(1) of the PA 2023.

- (2) The information is—
  - (a) the contracting authority information,
  - (b) the title of the procurement,

- (c) the unique identifier for the procurement,
- (d) in the case of a procurement where there has been a switch to a direct award in accordance with section 43 of the PA 2023, the unique identifier allocated to the procurement before the switch to direct award,
- (e) the unique identifier for the contract, if this is known when the transparency notice is published,
- (f) the contract subject-matter,
- (g) whether the contract is a special regime contract and, if so, whether it is—
  - (i) a concession contract,
  - (ii) a defence and security contract,
  - (iii) a light touch contract, or
  - (iv) a utilities contract,
- (h) whether the contract is being awarded directly to a supplier that is not an excluded supplier because a direct award justification applies in accordance with section 41(1)(a) of the PA 2023,
- (i) if sub-paragraph (h) applies, the direct award justification in Schedule 5 to the PA 2023 which applies and an explanation of why the contracting authority considers that it applies,
- (j) whether the contract is being awarded directly to a supplier that is an excluded supplier because the contracting authority considers that there is an overriding public interest in awarding the contract to that supplier in accordance with section 41(2) to (5) of the PA 2023,
- (k) if sub-paragraph (j) applies—
  - (i) the offence or other event mentioned in Schedule 6 to the PA 2023 by virtue of which the supplier is an excluded supplier, and
  - (ii) which ground in section 41(5) of the PA 2023 applies and an explanation of why the contracting authority considers that it applies,
- (l) whether the contract is being awarded directly to a supplier pursuant to regulations made under section 42 of the PA 2023 (direct award to protect life, etc),
- (m) if sub-paragraph (l) applies, the title and registration number of the statutory instrument containing those regulations,
- (n) whether the contract is being awarded directly to a supplier that is not an excluded supplier by virtue of section 43 of the PA 2023 (switching to direct award),
- (o) if sub-paragraph (n) applies, the reason the contracting authority considers there were no suitable tenders or requests to participate by reference to section 43(2) of the PA 2023 and why it considers that an award under section 19 of that Act is not possible in the circumstances,
- (p) whether the contract is being awarded by reference to lots and, if so—
  - (i) the title of each lot, and
  - (ii) the distinct number given to each lot by the contracting authority,
- (q) the estimated value of the contract,
- (r) whether the contracting authority considers that the contract or any lot forming part of the contract may be particularly suitable to be awarded—
  - (i) to a small and medium-sized enterprise, or

- (ii) to a non-governmental organisation that is value-driven and which principally reinvests its surpluses to further social, environmental or cultural objectives,
- (s) a description identifying any risk that—
  - (i) the contracting authority considers—
    - (aa) could jeopardise the satisfactory performance of the contract, but
    - (bb) because of its nature, may not be addressed in the contract as awarded, and
  - (ii) may require a subsequent modification to the contract under paragraph 5 of Schedule 8 to the PA 2023 (modification of contract following materialisation of a known risk),
- (t) whether suppliers have been selected for the award of the contract,
- (u) if suppliers have been selected for the award of the contract, for each supplier selected—
  - (i) the supplier's name,
  - (ii) the—
    - (aa) unique identifier for the supplier, or
    - (bb) in the case of a direct award of a public contract pursuant to paragraphs 13 and 14 of Schedule 5 to the PA 2023 (urgency) where the supplier has not been allocated a unique identifier when the transparency notice is published but can instead provide unique information (for example a company registration number given under the CA 2006) which can be recognised by the central digital platform as the basis for a unique identifier allocated by that platform, that unique information, and
  - (iii) the supplier's contact postal address and email address,
- (v) the estimated date when the contract will be entered into, and
- (w) where the contract is a framework—
  - (i) the term of the framework,
  - (ii) whether the framework provides for fees to be charged to a supplier in accordance with the framework and, if so, details of the fixed percentage by which they will be charged in accordance with section 45(7) of the PA 2023, and
  - (iii) the contracting authorities entitled to award contracts in accordance with the framework (whether by listing the names of those authorities or by describing categories of authorities).

(3) Nothing in this regulation prevents a contracting authority from publishing other information that relates to the same procurement in the notice.

#### **Contract award notices except those published by private utilities**

**27.—**(1) This regulation sets out other information which must be included in a contract award notice published by a contracting authority under section 50(1) of the PA 2023.

- (2) The information is—
  - (a) the contracting authority information,
  - (b) the title of the procurement,
  - (c) the unique identifier for—
    - (i) the procurement,
    - (ii) the public contract,

- (iii) where the public contract is being awarded in accordance with a framework, the procurement of the framework in accordance with which the public contract is being awarded, and
  - (iv) where the public contract is being awarded by reference to a suppliers' membership of a dynamic market, the dynamic market,
- (d) the contract subject-matter,
- (e) for each supplier awarded the public contract—
  - (i) the supplier's name,
  - (ii) the supplier's contact postal address and email address,
  - (iii) the—
    - (aa) unique identifier for the supplier, or
    - (bb) in the case of a direct award of a public contract pursuant to paragraphs 13 and 14 of Schedule 5 to the PA 2023 (urgency) where the supplier has not been allocated a unique identifier when the contract award notice is published but can instead provide unique information (for example a company registration number given under the CA 2006) which can be recognised by the central digital platform as the basis for a unique identifier allocated by that platform, that unique information,
  - (iv) whether the supplier is an association of companies or other consortium,
  - (v) whether the supplier is—
    - (aa) a small and medium-sized enterprise,
    - (bb) a non-governmental organisation that is value-driven and which principally reinvests its surpluses to further social, environmental or cultural objectives,
    - (cc) a supported employment provider<sup>(a)</sup>, or
    - (dd) a public service mutual,
  - (vi) for each associated person of the supplier, the person's name and contact postal address, and
  - (vii) the supplier's connected person information in accordance with regulation 11, but reading paragraphs (4)(a) and (8)(a) of that regulation as if each reference to date of birth were a reference to month and year of birth, subject to paragraph (4),
- (f) the date when the contracting authority decided to award the public contract,
- (g) if the public contract is being awarded by reference to lots, for each lot—
  - (i) the name of the supplier that is being awarded the lot,
  - (ii) the title of the lot,
  - (iii) the distinct number given to the lot by the contracting authority,
  - (iv) a description of the kinds of goods, services or works which will be supplied,
  - (v) a summary of how those goods, services or works will be supplied,
  - (vi) the estimated date when, or period over which, the goods, services or works will be supplied,
  - (vii) the estimated amount of goods, services or works which will be supplied,
  - (viii) the estimated value of the lot,

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(a) For the meaning of "supported employment provider" see section 32 of the Procurement Act 2023.

- (ix) the relevant CPV codes, and
- (x) the geographical classification, where it is possible to describe this,
- (h) where the public contract is being awarded in accordance with a framework, details of which of the following procedures was used—
  - (i) a competitive selection process for frameworks under section 46 of the PA 2023, or
  - (ii) an award without further competition under section 45(4) of the PA 2023,
- (i) where the public contract is a framework that is being awarded under an open framework, the unique identifier for the procurement of the last framework awarded under the open framework (unless no framework has previously been awarded under the open framework),
- (j) where the public contract is being awarded under an appropriate part of a dynamic market, the distinct number given to that part by the person who established the dynamic market,
- (k) whether the public contract is a special regime contract and, if so, whether it is—
  - (i) a concession contract,
  - (ii) a defence and security contract,
  - (iii) a light touch contract, or
  - (iv) a utilities contract,
- (l) whether the contracting authority has provided an assessment summary to each supplier that submitted an assessed tender in accordance with section 50(3) of the PA 2023 and, if so, the date when those assessment summaries were provided,
- (m) the estimated value of the public contract,
- (n) in respect of public contracts with an estimated value of £5 million or less—
  - (i) the total number of tenders submitted by the contracting authority's deadline for submitting tenders (discounting tenders submitted but subsequently withdrawn),
  - (ii) the total number of tenders assessed by the contracting authority, and
  - (iii) the total number of tenders assessed by the contracting authority which were submitted by—
    - (aa) a small and medium-sized enterprise, and
    - (bb) a non-governmental organisation that is value-driven and which principally reinvests its surpluses to further social, environmental or cultural objectives,
- except in the case of a direct award under section 41 or 43 of the PA 2023,
- (o) in respect of public contracts with an estimated value of more than £5 million—
  - (i) the total number of tenders submitted by the contracting authority's deadline for submitting tenders (discounting tenders submitted but subsequently withdrawn),
  - (ii) the name of each supplier that—
    - (aa) submitted a tender which was assessed for the purposes of determining the most advantageous tender under section 19(1) of the PA 2023, and
    - (bb) was not awarded the public contract,
  - (“unsuccessful supplier”), and
  - (iii) for each unsuccessful supplier—

- (aa) the unique identifier for the supplier or other unique information referred to in sub-paragraph (e)(iii)(bb),
  - (bb) the supplier's postal address,
  - (cc) whether the supplier is a small and medium-sized enterprise, and
  - (dd) whether the supplier is a non-governmental organisation that is value-driven and which principally reinvests its surpluses to further social, environmental or cultural objectives,
- except in the case of a direct award under section 41 or 43 of the PA 2023,
- (p) where the public contract is a framework or awarded other than in accordance with a framework, details of which of the following procedures was used—
    - (i) an open procedure,
    - (ii) a competitive flexible procedure, or
    - (iii) a direct award under section 41 or 43 of the PA 2023,
  - (q) whether a tender notice was used to reserve the contract to supported employment providers in accordance with section 32 of the PA 2023, and whether the contract was awarded to such a supplier,
  - (r) whether a tender notice was used to reserve the contract to public service mutuals in accordance with section 33 of the PA 2023, and whether the contract was awarded to such a supplier,
  - (s) the end date of any standstill period under section 51 of the PA 2023 or, if no standstill period applies, any date before which the contracting authority has determined not to enter into the contract,
  - (t) the estimated date when the contract will be entered into,
  - (u) where the public contract is being awarded directly under section 41 or 43 of the PA 2023, the same information referred to in 26(2)(h) to (o),
  - (v) where the public contract is being awarded in accordance with a framework which is arranged by reference to lots, the distinct number given by the contracting authority to the lot under which the contract is being awarded, and
  - (w) where—
    - (i) the public contract is being awarded by reference to lots, and
    - (ii) the contracting authority is using the contract award notice to give notice that it is ceasing to procure all of the goods, services and works set out in one or more of those lots or any lots under future contracts under the arrangement under section 18(2)(a) of the PA 2023,
 the ceased lot information.
- (3) “Ceased lot information” is—
- (a) the following information for each ceased lot—
    - (i) the title of the lot,
    - (ii) the distinct number given to the lot by the contracting authority,
    - (iii) the relevant CPV codes, and
    - (iv) a description of the kinds of goods, services or works which were to have been supplied under the lot, and
  - (b) the date when the contracting authority decided to cease the procurement under the lot.



(4) A contracting authority is not required to publish, in accordance with paragraph (2)(e)(vii), connected person information which is secured information in relation to—

- (a) a connected person who is an individual who meets the description in regulation 11(3)(b) and (c), or
- (b) a connected person who is an individual who meets the description in regulation 11(15)(b).

(5) “Secured information” is information which—

- (a) in relation to an individual mentioned in paragraph (4)(a) or (b), is for the time being omitted from a PSC register in accordance with regulation 33(1) of the Register of People with Significant Control Regulations 2016(a), or
- (b) in relation to an individual mentioned in paragraph (4)(b), is information regarding which the individual—
  - (i) is reasonably of the view set out in paragraph (6), and
  - (ii) has confirmed that view in writing to the contracting authority.

(6) The view is that if the information is published—

- (a) the activities of the company, or
- (b) one or more characteristics or personal attributes of the applicant when associated with that company,

will put the applicant or a person living with the applicant at serious risk of being subjected to violence or intimidation.

(7) Nothing in this regulation prevents a contracting authority from publishing other information that relates to the same procurement in the notice.

(8) This regulation does not apply to a contracting authority which is a private utility.

### **Contract award notices published by private utilities**

**28.—**(1) This regulation sets out other information which must be included in a contract award notice published by a private utility under section 50(1) of the PA 2023.

(2) The information is—

- (a) the same information referred to in regulation 27(2)(a) to (r), except sub-paragraphs (h), (n) and (o),
- (b) the estimated date when the contract will be entered into, and
- (c) a description of any option in the public contract—
  - (i) to supply additional goods, services or works, or
  - (ii) to extend or renew the term of the contract.

(3) Nothing in this regulation prevents a contracting authority from publishing other information that relates to the same procurement (including information that relates to other contracts awarded under the same procurement) in the notice.

(4) This regulation does not apply to—

- (a) the direct award of a public contract under section 41 or 43 of the PA 2023 (see instead regulation 29), or
- (b) the award of a public contract in accordance with a framework (see instead regulation 30).

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(a) S.I. 2016/339.

### **Contract award notices published by private utilities: direct awards**

**29.—**(1) This regulation sets out other information which must be included in a contract award notice published by a private utility under section 50(1) of the PA 2023 where the contract was awarded directly in accordance with section 41 or 43 of the PA 2023.

(2) The information is—

- (a) the same information referred to in regulation 27(2)(a) to (r), except sub-paragraphs (c)(iii) and (iv), (h) to (j), (l), (n) and (o),
- (b) the estimated date when the contract will be entered into,
- (c) a description of any option in the public contract—
  - (i) to supply additional goods, services or works, or
  - (ii) to extend or renew the term of the contract,
- (d) whether the contract is being awarded directly to a supplier that is not an excluded supplier because a direct award justification applies in accordance with section 41(1)(a) of the PA 2023,
- (e) if sub-paragraph (d) applies, the direct award justification in Schedule 5 which applies and an explanation of why the contracting authority considers that it applies,
- (f) whether the contract is being awarded directly to a supplier that is an excluded supplier because the contracting authority considers that there is an overriding public interest in awarding the contract to that supplier in accordance with section 41(2) to (5) of the PA 2023,
- (g) if sub-paragraph (f) applies—
  - (i) the offence or other event mentioned in Schedule 6 to the PA 2023 by virtue of which the supplier is an excluded supplier, and
  - (ii) which ground in section 41(5) of the PA 2023 applies and an explanation of why the contracting authority considers that it applies,
- (h) whether the contract is being awarded directly to a supplier pursuant to regulations made under section 42 of the PA 2023 (direct award to protect life, etc),
- (i) if sub-paragraph (h) applies, the title and registration number of the statutory instrument containing those regulations,
- (j) whether the contract is being awarded directly to a supplier that is not an excluded supplier by virtue of section 43 of the PA 2023 (switching to direct award), and
- (k) if sub-paragraph (j) applies, the reason the contracting authority considers there were no suitable tenders or requests to participate by reference to section 43(2) of the PA 2023 and why it considers that an award under section 19 is not possible in the circumstances.

(3) Nothing in this regulation prevents a contracting authority from publishing other information that relates to the same procurement in the notice.

### **Contract award notices published by private utilities: frameworks**

**30.—**(1) This regulation sets out other information which must be included in a contract award notice published by a private utility under section 50(1) of the PA 2023 where the contract is being awarded in accordance with a framework.

(2) The information is—

- (a) the same information referred to in regulation 27(2)(a) to (r), except sub-paragraphs (c)(iv), (i), (j), (n), (o) and (p),
- (b) the estimated date when the contract will be entered into,

- (c) a description of any option in the public contract—
    - (i) to supply additional goods, services or works, or
    - (ii) to extend or renew the term of the contract,
  - (d) where the framework is arranged by reference to lots, the distinct number given by the contracting authority to the lot under which the contract is being awarded,
  - (e) details of which of the following procedures was used to award the public contract—
    - (i) a competitive selection process for frameworks under section 46 of the PA 2023, or
    - (ii) an award without further competition under section 45(4) of the PA 2023, and
  - (f) if sub-paragraph (e)(ii) applies, an explanation of why the contracting authority considered that it applies by reference to section 45(4) of the PA 2023.
- (3) Nothing in this regulation prevents a contracting authority from publishing other information that relates to the same procurement in the notice.

### **Assessment summaries**

**31.—**(1) This regulation sets out what information must be included in an assessment summary provided to a supplier under section 50(3) of the PA 2023.

- (2) In the case of the most advantageous tender, the information is—
  - (a) the name of the supplier,
  - (b) a contact postal address and email address for the supplier,
  - (c) the unique identifier for the supplier,
  - (d) in respect of the award criteria for the public contract—
    - (i) the award criteria, including the assessment methodology, set out in full, or a summary of the award criteria including—
      - (aa) the title of each criterion,
      - (bb) the relative importance of each criterion, and
      - (cc) how each criterion was to have been assessed by reference to scored and what scored were to have been available for each criterion, and
    - (ii) if the award criteria, including the assessment methodology, are not set out in full in the assessment summary, an indication of where the full version can be accessed, and
  - (e) how the tender was assessed against the award criteria by reference to scores including—
    - (i) the score determined for each award criterion and—
      - (aa) an explanation for that score by reference to relevant information in the tender, and
      - (bb) where an award criterion includes sub-criteria for assessment, an explanation of how the tender was assessed by reference to each sub-criterion, and
    - (ii) the total score and any sub-total scores.
- (3) In the case of any other assessed tender, the information is—
  - (a) the information referred to in paragraph (2)(a) to (d) in respect of the tender,
  - (b) the information as referred to in paragraph (2)(e) in respect of the tender, but only to the extent that the tender was assessed against the award criteria,

- (c) any further explanation of why the public contract is not being awarded to the supplier including, where the tender was disqualified under the assessment methodology under section 23(3) of the PA 2023, the reasons for that disqualification
- (d) the information referred to in paragraph (2)(e) in respect of the most advantageous tender.

(4) All assessment summaries in respect of a public contract which are provided by a contracting authority to suppliers in accordance with section 50(3) of the PA 2023 must be provided to each supplier at the same time.

(5) Nothing in this regulation prevents a contracting authority from providing other information that relates to the same procurement in an assessment summary.

### **Contract details notices: open or competitive flexible procedure**

**32.—**(1) This regulation sets out other information which must be included in a contract details notice published under section 53(1) of the PA 2023 where the public contract was entered into following—

- (a) an open procedure, or
- (b) a competitive flexible procedure (including by reference to a dynamic market).

(2) The information is—

- (a) the contracting authority information,
- (b) the title of the procurement,
- (c) the unique identifier for the procurement,
- (d) the unique identifier for the public contract,
- (e) where the public contract was awarded by reference to suppliers' membership of a dynamic market, the unique identifier for that dynamic market,
- (f) the contract subject-matter,
- (g) for each supplier party to the public contract—
  - (i) the supplier's name,
  - (ii) the supplier's contact postal address and email address,
  - (iii) the unique identifier for the supplier, and
  - (iv) whether the supplier is—
    - (aa) a small and medium-sized enterprise,
    - (bb) a non-governmental organisation that is value-driven and which principally reinvests its surpluses to further social, environmental or cultural objectives,
    - (cc) a supported employment provider, or
    - (dd) a public service mutual,
- (h) whether the public contract was awarded following—
  - (i) an open procedure, or
  - (ii) a competitive flexible procedure,
- (i) whether the contract was reserved—
  - (i) to supported employment providers in accordance with section 32 of the PA 2023, or
  - (ii) to public service mutuals in accordance with section 33 of the PA 2023,

- (j) if the public contract was awarded by reference to a lot—
  - (i) the title of the lot,
  - (ii) the distinct number given to the lot by the contracting authority,
  - (iii) a description of the kinds of goods, services or works which will be supplied,
  - (iv) a summary of how those goods, services or works will be supplied,
  - (v) the estimated date when, or period over which, the goods, services or works will be supplied,
  - (vi) the estimated amount of goods, services or works which will be supplied,
  - (vii) the estimated value of the lot, and
  - (viii) the relevant CPV codes,
- (k) the estimated value of the public contract,
- (l) the date when the public contract was entered into,
- (m) a description of any option in the public contract—
  - (i) to supply additional goods, services or works, or
  - (ii) to extend or renew the term of the contract,
- (n) where the public contract was awarded under an appropriate part of a dynamic market, the distinct number given to that part by the person who established the dynamic market,
- (o) whether the public contract is a special regime contract and, if so, whether it is—
  - (i) a concession contract,
  - (ii) a defence and security contract,
  - (iii) a light touch contract, or
  - (iv) a utilities contract,
- (p) whether the public contract is a contract for which the United Kingdom has obligations under the GPA,
- (q) from the date when the Comprehensive and Progressive Agreement for Trans-Pacific Partnership enters into force for the United Kingdom, whether the public contract is a contract for which the United Kingdom has obligations under that Agreement,
- (r) where key performance indicators were set in accordance with section 52(1) of the PA 2023—
  - (i) a description of each key performance indicator, and
  - (ii) how often the contracting authority will assess performance against the key performance indicators in accordance with section 71(2) of the PA 2023, and
- (s) where key performance indicators were not set by virtue of section 52(2) of the PA 2023, an explanation of why the contracting authority considers that the supplier's performance under the contract could not appropriately be assessed by reference to key performance indicators.

(3) Nothing in this regulation prevents a contracting authority from publishing other information that relates to the same procurement in the notice.

(4) This regulation does not apply to a contract details notice where the public contract is a framework (see instead regulation 33).

### **Contract details notices: frameworks**

**33.—**(1) This regulation sets out other information which must be included in a contract details notice published under section 53(1) of the PA 2023 where the public contract is a framework.

(2) The information is—

- (a) the same information referred to in regulation 32(2)(a) to (q), except sub-paragraph (h),
- (b) the contracting authorities entitled to award public contracts in accordance with the framework (whether by listing the names of those authorities or by describing categories of authorities),
- (c) the term of the framework,
- (d) whether the framework is awarded under an open framework,
- (e) where the framework was awarded under an open framework, the unique identifier for the procurement of the last framework awarded under the open framework (unless no framework has previously been awarded under the open framework),
- (f) where the framework was awarded under an open framework, the estimated end date of the open framework,
- (g) whether the public contract was awarded—
  - (i) following an open procedure,
  - (ii) following a competitive flexible procedure, or
  - (iii) directly, in accordance with section 41 or 43 of the PA 2023,
- (h) whether the framework provides for fees to be charged to a supplier in accordance with the framework and, if so, details of the fixed percentage by which they will be charged in accordance with section 45(7) of the PA 2023,
- (i) the price payable, or mechanism for determining the price payable, under a public contract awarded in accordance with the framework, and
- (j) details of the selection process to be applied on the award of a contract in accordance with the framework.

(3) Nothing in this regulation prevents a contracting authority from publishing other information that relates to the same procurement in the notice.

### **Contract details notices: public contracts awarded in accordance with frameworks**

**34.—**(1) This regulation sets out other information which must be included in a contract details notice published under section 53(1) of the PA 2023 where the public contract was awarded in accordance with a framework.

(2) The information is—

- (a) the same information referred to in regulation 32(2), except sub-paragraphs (e), (h), (n), (p) and (q),
- (b) the unique identifier for the procurement of the framework in accordance with which the public contract is being awarded,
- (c) whether the framework is a defence and security framework within the meaning given by section 47(4)(a) of the PA 2023,
- (d) where the framework is arranged by reference to lots, the distinct number given by the contracting authority to the lot under which the contract is being awarded,
- (e) details of which of the following procedures was used to award the public contract—

- (i) a competitive selection process for frameworks under section 46 of the PA 2023,  
or
- (ii) an award without further competition under section 45(4) of the PA 2023, and
- (f) if sub-paragraph (e)(ii) applies, an explanation of why the contracting authority considered that it applies by reference to section 45(4) of the PA 2023.

(3) Nothing in this regulation prevents a contracting authority from publishing other information that relates to the same procurement in the notice.

#### **Contract details notices: direct award**

**35.—**(1) This regulation sets out other information which must be included in a contract details notice published under section 53(1) of the PA 2023 where the public contract was awarded directly in accordance with section 41 or 43 of the PA 2023.

(2) The information is—

- (a) the same information referred to in regulation 32(2), except sub-paragraphs (e), (h) and (n),
- (b) whether the contract was awarded directly to a supplier that is not an excluded supplier because a direct award justification applies in accordance with section 41(1)(a) of the PA 2023,
- (c) if sub-paragraph (b) applies, the direct award justification in Schedule 5 which applies and an explanation of why the contracting authority considers that it applies,
- (d) whether the contract was awarded directly to a supplier that is an excluded supplier because the contracting authority considered that there was an overriding public interest in awarding the contract to that supplier in accordance with section 41(2) to (5) of the PA 2023,
- (e) if sub-paragraph (d) applies, which ground in section 41(5) of the PA 2023 applies and an explanation of why the contracting authority considers that it applies,
- (f) whether the contract was awarded directly to a supplier pursuant to regulations made under section 42 of the PA 2023 (direct award to protect life, etc),
- (g) if sub-paragraph (f) applies, the title and registration number of the statutory instrument containing those regulations,
- (h) whether the contract was awarded directly to a supplier that is not an excluded supplier by virtue of section 43 of the PA 2023 (switching to direct award),
- (i) if sub-paragraph (h) applies, the reason the contracting authority considers there were no suitable tenders or requests to participate by reference to section 43(2) of the PA 2023 and why it considers that an award under section 19 of that Act is not possible in the circumstances,
- (j) whether the contract was awarded to a supplier that is an excluded supplier by virtue of section 41(2) of the PA 2023, and
- (k) if sub-paragraph (j) applies, the offence or other event mentioned in Schedule 6 to the PA 2023 in question.

(3) Nothing in this regulation prevents a contracting authority from publishing other information that relates to the same procurement in the notice.

(4) This regulation does not apply to a contract details notice where the public contract is a framework (see instead regulation 33).

### **Contract details notices: below-threshold contracts**

**36.**—(1) This regulation sets out other information which must be included in a contract details notice published under section 87(3) of the PA 2023.

(2) The information is—

- (a) the contracting authority information,
- (b) the title of the procurement,
- (c) the unique identifier for the procurement,
- (d) the unique identifier for the contract,
- (e) for each supplier party to the contract—
  - (i) the supplier's name,
  - (ii) the supplier's contact postal address and email address,
  - (iii) the unique identifier for the supplier, except where the supplier has not obtained one, and
  - (iv) whether the supplier is—
    - (aa) a small and medium-sized enterprise, or
    - (bb) a non-governmental organisation that is value-driven and which principally reinvests its surpluses to further social, environmental or cultural objectives,
- (f) the contract subject-matter,
- (g) whether the contract was awarded by reference to lots and, if so—
  - (i) the title of each lot under the contract, and
  - (ii) the distinct number given to each lot by the contracting authority,
- (h) whether the contract is a defence and security contract or a light touch contract,
- (i) the estimated value of the contract,
- (j) the date when the contract was entered into, and
- (k) a description of any option in the contract—
  - (i) to supply additional goods, services or works, or
  - (ii) to extend or renew the term of the contract.

(3) Nothing in this regulation prevents a contracting authority from publishing other information that relates to the same procurement in the notice.

### **Procurement termination notices**

**37.**—(1) This regulation sets out what information must be included in a procurement termination notice published under section 55(2) of the PA 2023.

(2) The information is—

- (a) the contracting authority information,
- (b) the title of the procurement,
- (c) the unique identifier for the procurement,
- (d) a statement to the effect that, following the publication of a tender or transparency notice in respect of a contract, the contracting authority has decided not to award the contract, and
- (e) the date when the contracting authority decided not to award the public contract.



(3) Nothing in this regulation prevents a contracting authority from publishing other information that relates to the same procurement in a procurement termination notice.

### **Payments compliance notices**

**38.**—(1) This regulation sets out what information must be included in a payments compliance notice published under section 69(1) of the PA 2023.

(2) The information is—

- (a) the contracting authority information,
- (b) the dates of the first and the last days of the reporting period to which the payments compliance notice relates,
- (c) in respect of sums paid by the contracting authority under public contracts during the reporting period—
  - (i) the average number of days taken to make those payments, where day 1 is the first day after the invoice day;
  - (ii) the percentage of those payments which were made, where day 1 is the first day after the invoice day—
    - (aa) within the period beginning on day 1 and ending with day 30;
    - (bb) within the period beginning on day 31 and ending with day 60;
    - (cc) on or after day 61,
- (d) in respect of sums which became payable under public contracts during the reporting period, the percentage of those payments which were not made within the reporting period, and
- (e) a statement of the director or similar officer of the contracting authority who is responsible for the contracting authority's finances setting out that they approve the payments compliance notice and that person's name and job title.

(3) In paragraph (2)—

“average” means the arithmetic mean;

“invoice day” means the day on which a contracting authority receives an invoice.

(4) For the purposes of paragraph (2), a payment is made—

- (a) when it is received by the supplier;
- (b) if there is any delay in the sum being received for which the contracting authority is not responsible, when it would have been received without that delay.

(5) In paragraph (3) the reference to a contracting authority receiving an invoice is to the invoice being delivered to an address, or through an electronic invoicing system, as specified in the contract in question for that purpose.

(6) Nothing in this regulation prevents a contracting authority from publishing other relevant information in the notice.

### **Contract performance notices except in relation to full termination**

**39.**—(1) This regulation makes provision about information published under either of the following provisions—

- (a) section 71(2)(b) of the PA 2023 (assessment of performance against key performance indicators);
- (b) section 71(5) of that Act (breach of public contract or failure to perform).

(2) The information must be published in the form of a notice called a “Contract Performance Notice”.

(3) Where the information is being published under section 71(2)(b) of the PA 2023, the notice must include the information set out in paragraph (4).

(4) The information is—

- (a) the contracting authority information,
- (b) the title of the procurement,
- (c) the unique identifier for—
  - (i) the procurement, and
  - (ii) the public contract,
- (d) the key performance indicators set in accordance with section 52(1) of the PA 2023,
- (e) a statement that the notice is being used to set out the contracting authority’s assessment of performance against the key performance indicators,
- (f) for each supplier whose performance has been assessed against the key performance indicators—
  - (i) the supplier’s name,
  - (ii) the supplier’s contact postal address and email address, and
  - (iii) the unique identifier for the supplier,
- (g) the contracting authority’s assessment of performance against the indicators in accordance with the ratings set out in paragraph (5), and
- (h) the time period to which the contracting authority’s assessment applies.

(5) The ratings are—

<i>Rating</i>	<i>Description</i>
Good	Performance is meeting or exceeding the key performance indicators
Approaching target	Performance is close to meeting the key performance indicators
Requires improvement	Performance is below the key performance indicators
Inadequate	Performance is significantly below the key performance indicators
Other	Performance cannot be described as good, approaching target, requires improvement or inadequate

(6) Where the information is being published under section 71(5) of the PA 2023, the notice must include the information set out in paragraph (7).

(7) The information is—

- (a) the contracting authority information,
- (b) the title of the procurement,
- (c) the unique identifier for—
  - (i) the procurement, and
  - (ii) the public contract,
- (d) for each supplier that has committed the breach or failure to perform set out in the notice—

- (i) the supplier's name,
  - (ii) the supplier's contact postal address and email address, and
  - (iii) the unique identifier for the supplier,
- (e) the information referred to in—
  - (i) section 71(5)(a) of the PA 2023 (that section 71(5) of that Act applies), and
  - (ii) section 71(5)(b) of the PA 2023 (the circumstances giving rise to the application of section 71(5) of that Act),
- (f) a statement that the information is being published because—
  - (i) the supplier has breached the public contract and the breach resulted in one of the events referred to in section 71(3)(b), or
  - (ii) the supplier is not performing a public contract to the contracting authority's satisfaction,
- (g) where the supplier has breached the public contract, which of the following resulted from the breach—
  - (i) partial termination of the public contract;
  - (ii) the award of damages;
  - (iii) a settlement agreement between the supplier and the contracting authority,
- (h) where the supplier has breached the public contract, the date of any—
  - (i) partial termination of the public contract,
  - (ii) award of damages, or
  - (iii) settlement,
 (as the case may be),
- (i) where the supplier is not performing the public contract to the contracting authority's satisfaction, the date when the contracting authority considered that the supplier had failed to improve its performance in accordance with section 71(4)(c),
- (j) an explanation of the nature of the contractual obligation which has been breached or is not being performed to the contracting authority's satisfaction,
- (k) an explanation of the nature of the breach or failure to perform including—
  - (i) an explanation of the impact or consequences of the breach or failure to perform,
  - (ii) the duration of the breach or failure to perform and whether it is ongoing,
  - (iii) an explanation of any steps taken by the supplier to mitigate the impact or consequences of the breach or failure to perform,
  - (iv) any steps that the contracting authority has taken to notify the supplier of the breach or failure to perform and encourage them to improve the situation, including—
    - (aa) any warning notices given under the public contract, or
    - (bb) any opportunity to improve performance,
  - (v) what steps, if any, were taken by the supplier to improve the situation and why these were not sufficient,
- (l) where the breach has resulted in partial termination of the public contract, a description of which part of, or to what extent, the contract has been partially terminated, and
- (m) where there has been an award of damages or payment of other monies following the breach or failure to perform—
  - (i) confirmation that this is the case,

- (ii) the amount of damages or other monies,
- (iii) the basis on which any damages were awarded or other monies paid, for example—
  - (aa) in the case of damages, in accordance with the public contract,
  - (bb) in the case of damages, in accordance with a decision of a court or tribunal, or
  - (cc) in the case of other monies, in accordance with a negotiated settlement, and
- (iv) where there is a recorded decision of a court or tribunal finding that there was a breach, a link to the web page where the decision can be accessed or a copy of the decision.

(8) Nothing in this regulation prevents a contracting authority from publishing other information that relates to the same procurement in the notice.

(9) This regulation does not apply to information required to be published in accordance with section 71(5) of the PA 2023 where a breach resulted in the full termination of a public contract (see instead regulation 41).

### **Contract change notices**

**40.—**(1) This regulation sets out other information which must be included in a contract change notice published under section 75(1) or (5) of the PA 2023**(a)**.

(2) The information is—

- (a) the contracting authority information,
- (b) the title of the procurement,
- (c) the unique identifier for the procurement,
- (d) the unique identifier for the contract,
- (e) for each supplier party to the public contract or convertible contract—
  - (i) the supplier's name,
  - (ii) the supplier's contact postal address and email address, and
  - (iii) the unique identifier for the supplier,
- (f) whether the contracting authority is permitted to make the modification to the public contract or convertible contract because the modification is, by virtue of section 74(1)(a) of the PA 2023, one which is described—
  - (i) in paragraphs 2 and 3 of Schedule 8 to that Act (urgency and the protection of life, etc),
  - (ii) in paragraph 4 of Schedule 8 to that Act (unforeseeable circumstances),
  - (iii) in paragraphs 5 to 7 of Schedule 8 to that Act (materialisation of a known risk),
  - (iv) in paragraph 8 of Schedule 8 to that Act (additional goods, services or works), or
  - (v) in paragraph 9 of Schedule 8 to that Act (transfer on corporate restructuring),
 (where the modification is permitted under one of those provisions),
- (g) an explanation of why the modification falls within one of the types of modifications mentioned in sub-paragraph (f),
- (h) details of any change as a result of the modification—

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**(a)** For provision which requires contracting authorities to publish contracts as modified or modifications in certain cases, see section 77 of the PA 2023.

- (i) to the estimated value of the public contract or convertible contract immediately prior to the modification, or
  - (ii) to the term of the public contract or convertible contract,
  - (i) where the modification is one which is described in paragraph 9 of Schedule 8 to that Act (transfer on corporate restructuring)—
    - (i) for each new supplier that is party to the public contract or convertible contract—
      - (aa) the supplier’s name,
      - (bb) the supplier’s contact postal address and email address, and
      - (cc) the unique identifier for the supplier, and
    - (ii) for each supplier that will no longer be party to the public contract or convertible contract, the same information referred to in sub-paragraph (i)(aa) to (cc),
  - (j) the estimated date when—
    - (i) the public contract or convertible contract will be modified, and
    - (ii) the modification will have effect, and
  - (k) whether a voluntary standstill period applies in accordance with section 76(1) of the PA 2023 and, if so, the duration of that period.
- (3) Nothing in this regulation prevents a contracting authority from publishing other information that relates to the same procurement in the notice.

**Contract termination notices**

**41.—**(1) This regulation sets out other information which must be included in a contract termination notice published under section 80(1) of the PA 2023.

- (2) The information is—
- (a) the contracting authority information,
  - (b) the title of the procurement,
  - (c) the unique identifier for—
    - (i) the procurement,
    - (ii) the public contract,
  - (d) for each supplier party to the public contract—
    - (i) the supplier’s name,
    - (ii) the supplier’s contact postal address and email address, and
    - (iii) the unique identifier for the supplier,
  - (e) the reasons why the public contract has been terminated (including any reason mentioned in section 80(3) of the PA 2023),
  - (f) the date when the public contract was terminated,
  - (g) the estimated value of the public contract,
  - (h) where the termination of the public contract was the result of the supplier breaching the contract—
    - (i) a statement that section 71(5) of the PA 2023 applies because the supplier breached the public contract,
    - (ii) whether the breach resulted in—
      - (aa) the award of damages;

- (bb) a settlement agreement between the supplier and the contracting authority,
- (iii) the date of—
  - (aa) any award of any damages, or
  - (bb) any settlement,
- (iv) where the supplier did not perform the public contract to the contracting authority’s satisfaction, the date when the contracting authority considered that the supplier had failed to improve its performance in accordance with section 71(4)(c),
- (v) an explanation of the nature of the contractual obligation which was breached or was not performed to the contracting authority’s satisfaction,
- (vi) an explanation of the nature of the breach or failure to perform including—
  - (aa) an explanation of the impact or consequences of the breach or failure to perform,
  - (bb) the duration of the breach or failure to perform,
  - (cc) an explanation of any steps taken by the supplier to mitigate the impact or consequences of the breach or failure to perform,
  - (dd) any steps that the contracting authority took to notify the supplier of the breach or failure to perform and encourage them to improve the situation, including any warning notices given under the public contract or other proper opportunity to improve performance pursuant to section 71(4)(b) of the PA 2023,
  - (ee) what steps, if any, were taken by the supplier to improve the situation and why these were not sufficient, and
- (vii) where there was an award of damages or other monies paid following the breach or failure to perform—
  - (aa) confirmation that this is the case,
  - (bb) the amount of damages or other monies paid,
  - (cc) the basis on which the damages were awarded or other monies paid, for example in accordance with the public contract, a decision of a court or tribunal or a negotiated settlement, and
  - (dd) where there is a recorded decision of a court or tribunal finding that there was a breach, a link to the web page where the decision can be accessed or a copy of the decision.

(3) Nothing in this regulation prevents a contracting authority from publishing other information that relates to the same procurement in the notice.

## PART 3

### Other provisions supplementing the Procurement Act 2023

#### **Specification of light touch and reservable light touch services**

**42.—**(1) For the purposes of section 9(1) of the PA 2023 (light touch contracts) the services which are covered by the CPV codes set out in column (1) of Table 1 in Schedule 1 and described in column (2) of that Table are specified as light touch services for the purposes of section 9(1) of the PA 2023.

(2) For the purposes of section 33(7) of the PA 2023 (reserving contracts to public service mutuels), a service specified in columns (1) and (2) of Table 1 in Schedule 1 is specified as a reservable light touch service where in the entry corresponding to that service in column (3) the letter “R” appears.

(3) The services which are covered by the CPV codes set out in Table 2 of Schedule 1 are specified as light touch services for the purposes of section 9(1) of the PA 2023, but only where those services are supplied under a contract for the supply of any thing listed in section 7(1)(a) to (f) of the PA 2023 (defence and security contracts).

### **Disapplication in relation to regulated health procurement**

**43.** The PA 2023 does not apply in relation to regulated health procurement(a).

### **Central government authorities**

**44.—**(1) The Crown, but not His Majesty in his private capacity, and each of the entities listed in columns 1 or 2 of the Table in Schedule 2 to these Regulations (whether or not they perform their functions on behalf of the Crown) are specified for the purposes of the definition of “central government authority” in paragraph 5(1) of Schedule 1 to the PA 2023 (threshold amounts).

(2) Where an entity listed in Schedule 2 is or has been succeeded by another entity, which is itself a contracting authority, the successor entity shall be deemed to be included in Schedule 2.

### **Meaning of “works” in paragraph 5(1) of Schedule 1 to the Procurement Act 2023**

**45.** For the purposes of the definition of “works” in paragraph 5(1) of Schedule 1 to the PA 2023, “works” means any of the activities coming within a CPV code listed in Schedule 3.

### **Defence authorities**

**46.** For the purposes of section 7(5) of the PA 2023, each of the following contracting authorities is a defence authority—

- (a) the Secretary of State for Defence;
- (b) AWE PLC(b);
- (c) the National Crime Agency(c);
- (d) the Oil and Pipelines Agency(d).

## **PART 4**

### **Amendment of the Procurement Act 2023**

#### **Regulation of procurement by devolved Scottish authorities**

**47.—**(1) The PA 2023 is amended as follows.

(2) In section 2(5)(a) (contracting authorities), after “authority” insert “, except where a devolved Scottish authority carries out procurement falling within section 115A”.

(3) After section 115, insert—

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(a) See section 120(2) of the PA 2023 for the definition of “regulated health procurement”.

(b) Company registration no. 02763902.

(c) The National Crime Agency was established by section 1 of the Crime and Courts Act 2013 (c. 22).

(d) The Oil and Pipelines Agency was established by section 1 of the Oil and Pipelines Act 1985 (c. 62).

**“115A Application of this Act where a devolved Scottish authority carries out procurement under a reserved procurement arrangement etc.**

- (1) This Act applies, without modification, where a devolved Scottish authority carries out procurement under a reserved procurement arrangement, a devolved Welsh procurement arrangement or a transferred Northern Ireland procurement arrangement, and as part of that procurement arrangement a contract is to be awarded following a procedure or other selection process carried out—
    - (a) jointly by that authority and one or more contracting authority which is not a devolved Scottish authority, or
    - (b) by a centralised procurement authority or equivalent body.
  - (2) In respect of procurement not falling within subsection (1) but to which subsection (3) applies—
    - (a) the provisions of this Act specified in column (1) of the Table in Schedule 9A apply in relation to that procurement, and
    - (b) where there is a modification specified in column (2) in respect of a provision specified in column (1), that provision applies subject to that modification.
  - (3) This subsection applies in relation to procurement carried out by a devolved Scottish authority under a reserved procurement arrangement, a devolved Welsh arrangement or a transferred Northern Ireland procurement, and as part of that procurement arrangement a contract is to be awarded—
    - (a) in accordance with a framework or similar arrangement, or
    - (b) by reference to a dynamic market, a utilities dynamic market or similar arrangement.
  - (4) This section applies only to a devolved Scottish authority which is—
    - (a) a contracting authority within the meaning of regulation 2(1) of the Public Contracts (Scotland) Regulations 2015(a), or
    - (b) a utility within the meaning of regulation 4 of the Utilities Contracts (Scotland) Regulations 2016(b).”.
- (4) After Schedule 9, insert—

“SCHEDULE 9A

Section 115A

PROCUREMENT BY DEVOLVED SCOTTISH AUTHORITIES

Provision of the PA 2023 <i>(1)</i>	Modification <i>(2)</i>
Section 1 (procurement and covered procurement)	
Section 2 (contracting authorities)	
Section 3 (public contracts)	
Section 4 (valuation of contracts)	

(a) S.S.I. 2015/446, as amended by paragraph 17(2) of Schedule 3 of the Advanced Research and Invention Agency Act 2022 c. 4. There are other amendments which are not relevant.  
 (b) S.S.I. 2016/49, to which there are amendments, none of which are relevant.



Provision of the PA 2023 (1)	Modification (2)
Section 5 (mixed procurement: above and below threshold)	
Section 6 (utilities contracts)	Subsections (5) and (6) do not apply
Section 7 (defence and security contracts)	
Section 8 (concession contracts)	
Section 9 (light touch contracts)	Subsections (2) to (4) do not apply
Section 10 (mixed procurement: special regime contracts)	
Section 11 (covered procurement only in accordance with this Act)	
Section 19 (award of public contracts following a competitive tendering procedure)	Subsection (9) does not apply
Section 20 (competitive tendering procedure)	Subsection (9) does not apply
Section 21 (tender notices and associated tender documents)	
Section 22 (conditions of participation)	
Section 23 (award criteria)	
Section 24 (refining award criteria)	
Section 26 (excluding suppliers from a competitive award)	
Section 27 (excluding suppliers from a competitive flexible procedure)	
Section 28 (excluding suppliers by reference to sub-contractors)	
Section 29 (excluding a supplier that is a threat to national security)	
Section 30 (excluding suppliers for improper behaviour)	
Section 31 (modifying a section 19 procurement)	
Section 34 (competitive award by reference to dynamic markets)	
Section 35 (dynamic markets: establishment)	Subsection (3) does not apply

Provision of the PA 2023 (1)	Modification (2)
Section 40 (qualifying utilities dynamic market notices: no duty to publish a tender notice)	
Section 45 (frameworks)	Only subsections (1), (2) and (8) apply
Section 46 (frameworks: competitive selection process)	
Section 50 (contract award notices and assessment summaries)	Subsection (6)(b) does not apply
Section 51 (standstill periods on the award of contracts)	Subsections 3(a) to (c) do not apply
Section 53 (contract details notices)	Subsections (3) to (5) and (6)(b) do not apply
Section 54 (time limits)	The fourth entry in the table at subsection (4) (qualifying planned procurement notice) and the definition of “qualifying planned procurement notice” do not apply
Section 55 (procurement termination notices)	
Section 56 (technical specifications)	
Section 57 (meaning of excluded and excludable supplier)	
Section 58 (considering whether a supplier is excluded or excludable)	
Section 59 (notification of exclusion of supplier)	Subsections (1)(a)(iv) and (v) do not apply.  In respect of a procurement carried out by a devolved Scottish authority, the “relevant appropriate authority” is the Scottish Ministers, as defined by section 44(2) of the Scotland Act 1998(a)
Section 62(3) (debarment list: definition of debarment list)	
Section 67 (electronic invoicing: implied term)	

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(a) 1998 c. 46.

Provision of the PA 2023 (1)	Modification (2)
Section 78 (implied right to terminate public contracts)	
Section 79 (terminating public contracts: national security)	
Section 80 (contract termination notices)	
Section 81 (conflicts of interest: duty to identify)	Applies as though the definition of Minister in subsection (4) includes “the Scottish Ministers, as defined by section 44(2) of the Scotland Act 1998”
Section 82 (conflicts of interest: duty to mitigate)	
Section 83 (conflicts assessment)	
Section 89 (treaty state suppliers)	Subsection (3) does not apply
Section 90 (treaty state suppliers: non-discrimination)	
Section 91 (treaty state suppliers: non-discrimination in Scotland)	
Section 92 (trade disputes)	
Section 94 (general exemptions from duties to publish or disclose information)	
Section 96 (electronic communications)	
Section 98 (record-keeping)	
Section 99 (data protection)	
Section 100 (duties under this Act enforceable in civil proceedings)	Applies as though: (a) in subsection (1), the reference to Parts of the PA 2023 were replaced by the provisions of that Act specified to apply by section 115A and this Schedule; and (b) subsection (5) were omitted
Section 101 (automatic suspension of the entry into or modification of contracts)	Applies in relation to entry into a public contract only, and as though, in subsection (5), the reference to section 76 were omitted

Provision of the PA 2023 (1)	Modification (2)
Section 102 (interim remedies)	Applies as though, in subsection (3), the reference to section 76 were omitted
Section 103 (pre-contractual remedies)	
Section 104 (post-contractual remedies)	
Section 105 (post-contractual remedies: set aside conditions)	Applies as though, in subsection (1)(b), the reference to section 76 were omitted, and subsection (3) were omitted.
Section 106 (time limits on claims)	
Section 107 (Part 9 proceedings and closed material procedure)	
Part 11 (appropriate authorities and cross-border procurement)	
Section 123 (interpretation)	Subsection (4) does not apply
Section 126 (extent)	
Section 128 (short title)	
Schedule 1 (threshold amounts)	
Schedule 2 (exempted contracts)	
Schedule 3 (estimating the value of a contract)	
Schedule 4 (utility activities)	
Schedule 6 (mandatory exclusion grounds)	
Schedule 7 (discretionary exclusion grounds)	
Schedule 9 (treaty state suppliers)	
Schedule 9A (procurement by devolved Scottish authorities)	
Schedule 10 (single source defence contracts)	
Schedule 11 (repeals and revocations)".	

### **Preliminary market engagement in relation to private utilities**

48.—(1) The PA 2023 is amended as follows.

(2) In section 17 (preliminary market engagement), after subsection (2), insert—

- “(3) This section does not apply to a private utility, other than to a private utility which is a devolved Welsh authority that is not carrying out procurement under a reserved procurement arrangement or a transferred Northern Ireland procurement arrangement.”.

## PART 5

### Application of Parts 2 and 3: devolved Welsh and Scottish authorities

#### **Application of Parts 2 and 3 in relation to devolved Welsh authorities**

**49.**—(1) Parts 2 and 3 apply to a contracting authority that is a devolved Welsh authority in relation to a procurement under—

- (a) a reserved procurement arrangement, and
- (b) a transferred Northern Ireland procurement arrangement.

(2) Parts 2 and 3 do not apply to a contracting authority in relation to a procurement under a devolved Welsh procurement arrangement.

#### **Application of Parts 2 and 3 in relation to devolved Scottish authorities**

**50.** Parts 2 and 3 apply to a contracting authority that is a devolved Scottish authority in relation to a procurement which is regulated in accordance with section 115A of, and Schedule 9 to, the PA 2023.

*Name*  
Parliamentary Secretary  
Cabinet Office

# SCHEDULES

## SCHEDULE 1

Regulation 42

### Light touch services

Table 1

**Light touch services**

CPV code	Service	Reservable
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
<i>Health, social and related services</i>		
75231200	Services related to the detention or rehabilitation of criminals	
75231240	Probation services	
79611000	Job search services	
79622000	Supply services of domestic help personnel	R
79624000	Supply services of nursing personnel	R
79625000	Supply services of medical personnel	R
85000000	Health and social work services	R
85100000	Health services	R
85110000	Hospital and related services	R
85111000	Hospital services	R
85111100	Surgical hospital services	R
85111200	Medical hospital services	R
85111300	Gynaecological hospital services	R
85111310	In vitro fertilisation services	R
85111320	Obstetrical hospital services	R
85111400	Rehabilitation hospital services	R
85111500	Psychiatric hospital services	R
85111600	Orthotic services	R
85111700	Oxygen-therapy services	R
85111800	Pathology services	R
85111810	Blood analysis services	R

<b>CPV code</b>	<b>Service</b>	<b>Reservable</b>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
85111820	Bacteriological analysis services	R
85111900	Hospital dialysis services	R
85112000	Hospital support services	R
85112100	Hospital-bedding services	R
85112200	Outpatient care services	R
85120000	Medical practice and related services	R
85121000	Medical practice services	R
85121100	General-practitioner services	R
85121200	Medical specialist services	R
85121210	Gynaecologic or obstetric services	R
85121220	Nephrology or nervous system specialist services	R
85121230	Cardiology services or pulmonary specialists services	R
85121231	Cardiology services	R
85121232	Pulmonary specialists services	R
85121240	ENT or audiologist services	R
85121250	Gastroenterologist and geriatric services	R
85121251	Gastroenterologist services	R
85121252	Geriatric services	R
85121270	Psychiatrist or psychologist services	R
85121271	Home for the psychologically disturbed services	R
85121280	Ophthalmologist, dermatology or orthopedics services	R
85121281	Ophthalmologist services	R
85121282	Dermatology services	R
85121283	Orthopaedic services	R
85121290	Paediatric or urologist services	R
85121291	Paediatric services	R
85121292	Urologist services	R
85121300	Surgical specialist services	R
85130000	Dental practice and related services	R

<b>CPV code</b>	<b>Service</b>	<b>Reservable</b>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
85131000	Dental-practice services	R
85131100	Orthodontic services	R
85131110	Orthodontic-surgery services	R
85140000	Miscellaneous health services	R
85141000	Services provided by medical personnel	R
85141100	Services provided by midwives	R
85141200	Services provided by nurses	R
85141210	Home medical treatment services	R
85141211	Dialysis home medical treatment services	R
85141220	Advisory services provided by nurses	R
85142000	Paramedical services	R
85142100	Physiotherapy services	R
85142200	Homeopathic services	R
85142300	Hygiene services	R
85142400	Home delivery of incontinence products	R
85143000	Ambulance services	R
85144000	Residential health facilities services	R
85144100	Residential nursing care services	R
85145000	Services provided by medical laboratories	R
85146000	Services provided by blood banks	R
85146100	Services provided by sperm banks	R
85146200	Services provided by transplant organ banks	R
85147000	Company health services	R
85148000	Medical analysis services	R
85149000	Pharmacy services	R
85150000	Medical imaging services	R
85160000	Optician services	R
85170000	Acupuncture and chiropractor services	R
85171000	Acupuncture services	R
85172000	Chiropractor services	R



<b>CPV code</b>	<b>Service</b>	<b>Reservable</b>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
85200000	Veterinary services	R
85210000	Domestic animal nurseries	R
85300000	Social work and related services	R
85310000	Social work services	R
85311000	Social work services with accommodation	R
85311100	Welfare services for the elderly	R
85311200	Welfare services for disabled people	R
85311300	Welfare services for children and young people	R
85312000	Social work services without accommodation	R
85312100	Daycare services	R
85312110	Child daycare services	R
85312120	Daycare services for disabled children and young people	R
85312200	Home delivery of provisions	R
85312300	Guidance and counselling services	R
85312310	Guidance services	R
85312320	Counselling services	R
85312330	Family-planning services	R
85312400	Welfare services not delivered through residential institutions	R
85312500	Rehabilitation services	R
85312510	Vocational rehabilitation services	R
85320000	Social services	R
85321000	Administrative social services	R
85322000	Community action programme	R
85323000	Community health services	R
98133000	Services furnished by social membership organisations	R
98133100	Civic betterment and community facility support services	R
98200000	Equal opportunities consultancy services	
98500000	Private households with employed persons	

<b>CPV code</b>	<b>Service</b>	<b>Reservable</b>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
98513000	Manpower services for households	
98513100	Agency staff services for households	
98513200	Clerical staff services for households	
98513300	Temporary staff for households	
98513310	Home-help services	
98514000	Domestic services	
<i>Administrative social, educational, healthcare and cultural services</i>		
75000000	Administration, defence and social security services	
75121000	Administrative educational services	R
75122000	Administrative healthcare services	R
75124000	Administrative recreational, cultural and religious services	
79950000	Exhibition, fair and congress organisation services	
79951000	Seminar organisation services	
79952000	Event services	
79952100	Cultural event organisation services	
79953000	Festival organisation services	
79954000	Party organisation services	
79955000	Fashion shows organisation services	
79956000	Fair and exhibition organisation services	
79995000	Library management services	
79995100	Archiving services	
79995200	Cataloguing services	
80000000	Education and training services	
80100000	Primary education services	
80110000	Pre-school education services	R
80200000	Secondary education services	
80210000	Technical and vocational secondary education services	
80211000	Technical secondary education services	

<b>CPV code</b>	<b>Service</b>	<b>Reservable</b>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
80212000	Vocational secondary education services	
80300000	Higher education services	R
80310000	Youth education services	R
80320000	Medical education services	R
80330000	Safety education services	R
80340000	Special education services	R
80400000	Adult and other education services	
80410000	Various school services	
80411000	Driving-school services	
80411100	Driving-test services	
80411200	Driving lessons	
80412000	Flying-school services	
80413000	Sailing-school services	
80414000	Diving-school services	
80415000	Ski-training services	
80420000	E-learning services	R
80430000	Adult-education services at university level	R
80490000	Operation of an educational centre	
80500000	Training services	
80510000	Specialist training services	
80511000	Staff training services	R
80512000	Dog training services	
80513000	Horse riding school services	
80520000	Training facilities	R
80521000	Training programme services	R
80522000	Training seminars	R
80530000	Vocational training services	
80531000	Industrial and technical training services	
80531100	Industrial training services	
80531200	Technical training services	

<b>CPV code</b>	<b>Service</b>	<b>Reservable</b>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
80532000	Management training services	
80533000	Computer-user familiarisation and training services	
80533100	Computer training services	
80533200	Computer courses	
80540000	Environmental training services	
80550000	Safety training services	
80560000	Health and first-aid training services	
80561000	Health training services	
80562000	First-aid training services	
80570000	Personal development training services	
80580000	Provision of language courses	
80590000	Tutorial services	R
80600000	Training services in defence and security materials	
80610000	Training and simulation in security equipment	
80620000	Training and simulation in firearms and ammunition	
80630000	Training and simulation in military vehicles	
80640000	Training and simulation in warships	
80650000	Training and simulation in aircrafts, missiles and spacecrafts	
80660000	Training and simulation in military electronic systems	
92000000	Recreational, cultural and sporting services	
92100000	Motion picture and video services	
92110000	Motion picture and video tape production and related services	
92111000	Motion picture and video production services	
92111100	Training-film and video-tape production	
92111200	Advertising, propaganda and information film and video-tape production	
92111210	Advertising film production	
92111220	Advertising video-tape production	

<b>CPV code</b>	<b>Service</b>	<b>Reservable</b>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
92111230	Propaganda film production	
92111240	Propaganda video-tape production	
92111250	Information film production	
92111260	Information video-tape production	
92111300	Entertainment film and video-tape production	
92111310	Entertainment film production	
92111320	Entertainment video-tape production	
92112000	Services in connection with motion-picture and video-tape production	
92120000	Motion-picture or video-tape distribution services	
92121000	Video-tape distribution services	
92122000	Motion picture distribution services	
92130000	Motion picture projection services	
92140000	Video-tape projection services	
92200000	Radio and television services	
92210000	Radio services	
92211000	Radio production services	
92213000	Small scale radio systems services	
92214000	Radio studio or equipment services	
92215000	General Mobile Radio Services (GMRS)	
92220000	Television services	
92221000	Television production services	
92222000	Closed circuit television services	
92224000	Digital television	
92225000	Interactive television	
92225100	Film-on-demand television	
92226000	Teleprogramming	
92230000	Radio and television cable services	
92231000	International bilateral services and international private leased lines	
92232000	Cable TV	

<b>CPV code</b>	<b>Service</b>	<b>Reservable</b>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
92300000	Entertainment services	
92310000	Artistic and literary creation and interpretation services	
92311000	Works of art	
92312000	Artistic services	
92312100	Theatrical producers', singer groups', bands' and orchestras' entertainment services	
92312110	Theatrical producer entertainment services	
92312120	Singer group entertainment services	
92312130	Band entertainment services	
92312140	Orchestral entertainment services	
92312200	Services provided by authors, composers, sculptors, entertainers and other individual artists	
92312210	Services provided by authors	
92312211	Writing agency services	
92312212	Services related to the preparation of training manuals	
92312213	Technical author services	
92312220	Services provided by composers	
92312230	Services provided by sculptors	
92312240	Services provided by entertainers	
92312250	Services provided by individual artists	
92312251	Disk-jockey services	
92320000	Arts-facility operation services	
92330000	Recreational-area services	
92331000	Fair and amusement park services	
92331100	Fair services	
92331200	Amusement park services	
92331210	Children animation services	
92332000	Beach services	
92340000	Dance and performance entertainment services	
92341000	Circus services	

<b>CPV code</b>	<b>Service</b>	<b>Reservable</b>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
92342000	Dance-instruction services	
92342100	Ballroom dance-instruction services	
92342200	Discotheque dance-instruction services	
92350000	Gambling and betting services	
92351000	Gambling services	
92351100	Lottery operating services	
92351200	Casino operating services	
92352000	Betting services	
92352100	Totalisator operating services	
92352200	Bookmaking services	
92360000	Pyrotechnic services	
92370000	Sound technician	
92400000	News-agency services	
92500000	Library, archives, museums and other cultural services	R
92510000	Library and archive services	R
92511000	Library services	R
92512000	Archive services	R
92512100	Archive destruction services	R
92520000	Museum services and preservation services of historical sites and buildings	R
92521000	Museum services	R
92521100	Museum-exhibition services	R
92521200	Preservation services of exhibits and specimens	R
92521210	Preservation services of exhibits	R
92521220	Preservation services of specimens	R
92522000	Preservation services of historical sites and buildings	R
92522100	Preservation services of historical sites	R
92522200	Preservation services of historical buildings	R
92530000	Botanical and zoological garden services and nature reserve services	R

<b>CPV code</b>	<b>Service</b>	<b>Reservable</b>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
92531000	Botanical garden services	R
92532000	Zoological garden services	R
92533000	Nature reserve services	R
92534000	Wildlife preservation services	R
92600000	Sporting services	R
92610000	Sports facilities operation services	R
92620000	Sport-related services	R
92621000	Sports-event promotion services	R
92622000	Sports-event organisation services	R
92700000	Cybercafé services	
<i>Compulsory social security services</i>		
75300000	Compulsory social security services	
<i>Benefit services</i>		
75310000	Benefit services	
75311000	Sickness benefits	
75312000	Maternity benefits	
75313000	Disability benefits	
75313100	Temporary disablement benefits	
75314000	Unemployment compensation benefits	
75320000	Government employee pension schemes	
75330000	Family allowances	
75340000	Child allowances	
<i>Other community, social and personal services including services furnished by trade unions, political organisations, youth associations and other membership organisations services</i>		
98000000	Other community, social and personal services	
98120000	Services furnished by trade unions	
98130000	Miscellaneous membership organisations services	
98132000	Services furnished by political organisations	
98133110	Services provided by youth associations	R
<i>Religious services</i>		
98131000	Religious services	



<b>CPV code</b>	<b>Service</b>	<b>Reservable</b>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
<i>Hotel and restaurant services</i>		
55100000	Hotel services	
55110000	Hotel accommodation services	
55120000	Hotel meeting and conference services	
55130000	Other hotel services	
55200000	Camping sites and other non-hotel accommodation	
55210000	Youth hostel services	
55220000	Camping-site services	
55221000	Caravan-site services	
55240000	Holiday centre and holiday home services	
55241000	Holiday centre services	
55242000	Holiday home services	
55243000	Children's holiday-camp services	
55250000	Letting services of short-stay furnished accommodation	
55260000	Sleeping-car services	
55270000	Services provided by bed and breakfast establishments	
55300000	Restaurant and food-serving services	
55310000	Restaurant waiter services	
55311000	Restricted-clientele restaurant waiter services	
55312000	Unrestricted-clientele restaurant waiter services	
55320000	Meal-serving services	
55321000	Meal-preparation services	
55322000	Meal-cooking services	
55330000	Cafeteria services	
55400000	Beverage-serving services	
55410000	Bar management services	
55510000	Canteen services	
55511000	Canteen and other restricted-clientele cafeteria services	

<b>CPV code</b>	<b>Service</b>	<b>Reservable</b>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
55512000	Canteen management services	
55520000	Catering services	
55521000	Catering services for private households	
55521100	Meals-on-wheels services	
55521200	Meal delivery service	
55522000	Catering services for transport enterprises	
55523000	Catering services for other enterprises or other institutions	
55523100	School-meal services	
55524000	School catering services	
<i>Legal services, to the extent not included by paragraph 14 of Schedule 2 to the Procurement Act 2023</i>		
75231100	Law-courts-related administrative services	
79100000	Legal services	
79110000	Legal advisory and representation services	
79111000	Legal advisory services	
79112000	Legal representation services	
79112100	Stakeholders representation services	
79120000	Patent and copyright consultancy services	
79121000	Copyright consultancy services	
79121100	Software copyright consultancy services	
79130000	Legal documentation and certification services	
79131000	Documentation services	
79132000	Certification services	
79132100	Electronic signature certification services	
79140000	Legal advisory and information services	
<i>Other administrative services and government services</i>		
75100000	Administration services	
75110000	General public services	
75111000	Executive and legislative services	
75111100	Executive services	

<b>CPV code</b>	<b>Service</b>	<b>Reservable</b>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
75111200	Legislative services	
75112000	Administrative services for business operations	
75112100	Administrative development project services	
75120000	Administrative services of agencies	
75123000	Administrative housing services	R
75125000	Administrative services related to tourism affairs	
75130000	Supporting services for the government	
75131000	Government services	
<i>Provision of services to the community</i>		
75200000	Provision of services to the community	
75210000	Foreign affairs and other services	
75211000	Foreign-affairs services	
75211100	Diplomatic services	
75211110	Consular services	
75211200	Foreign economic-aid-related services	
75211300	Foreign military-aid-related services	
75220000	Defence services	
75221000	Military defence services	
75222000	Civil defence services	
75230000	Justice services	
75231000	Judicial services	
<i>Prison related services, public security and rescue services to the extent not excluded by paragraph 20 of Schedule 2 to the Procurement Act 2023</i>		
75231210	Imprisonment services	
75231220	Prisoner-escort services	
75231230	Prison services	
75240000	Public security, law and order services	
75241000	Public security services	
75241100	Police services	
75242000	Public law and order services	
75242100	Public-order services	

<b>CPV code</b>	<b>Service</b>	<b>Reservable</b>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
75242110	Bailiff services	
75250000	Fire-brigade and rescue services	
75251000	Fire-brigade services	
75251100	Firefighting services	
75251110	Fire-prevention services	
75251120	Forest-firefighting services	
75252000	Rescue services	
79430000	Crisis management services	
98113100	Nuclear safety services	
<i>Investigation and security services</i>		
79700000	Investigation and security services	
79710000	Security services	
79711000	Alarm-monitoring services	
79713000	Guard services	
79714000	Surveillance services	
79714100	Tracing system services	
79714110	Absconder-tracing services	
79715000	Patrol services	
79716000	Identification badge release services	
79720000	Investigation services	
79721000	Detective agency services	
79722000	Graphology services	
79723000	Waste analysis services	
<i>International services</i>		
98900000	Services provided by extra-territorial organisations and bodies	
98910000	Services specific to international organisations and bodies	
<i>Postal services</i>		
64000000	Postal and telecommunications services	
64100000	Post and courier services	

<b>CPV code</b>	<b>Service</b>	<b>Reservable</b>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
64110000	Postal services	
64111000	Postal services related to newspapers and periodicals	
64112000	Postal services related to letters	
64113000	Postal services related to parcels	
64114000	Post office counter services	
64115000	Mailbox rental	
64116000	Post-restante services	
64122000	Internal office mail and messenger services	
<i>Miscellaneous services</i>		
50116510	Tyre-remoulding services	
71550000	Blacksmith services	

Table 2

**Additional light touch services for certain defence and security contracts**

<b>Service</b>	
<i>Hotel and restaurant services</i>	
98340000	Accommodation and office services
98341000	Accommodation services
98341100	Accommodation management services
<i>Support and auxiliary transport services</i>	
63000000	Supporting and auxiliary transport services; travel agencies services
63100000	Cargo handling and storage services
63110000	Cargo handling services
63111000	Container handling services
63112000	Baggage handling services
63112100	Passenger baggage handling services
63112110	Baggage collection services
63120000	Storage and warehousing services
63121000	Storage and retrieval services

## Service

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63121100	Storage services
63121110	Gas storage services
63122000	Warehousing services
63500000	Travel agency, tour operator and tourist assistance services
63510000	Travel agency and similar services
63511000	Organisation of package tours
63512000	Sale of travel tickets and package tours services
63513000	Tourist information services
63514000	Tourist guide services
63515000	Travel services
63516000	Travel management services
63520000	Transport agency services
63521000	Freight transport agency services
63522000	Ship brokerage services
63523000	Port and forwarding agency services
63524000	Transport document preparation services
63700000	Support services for land, water and air transport
63710000	Support services for land transport
63711000	Support services for railway transport
63711100	Train monitoring services
63712000	Support services for road transport
63712100	Bus station services
63712200	Highway operation services
63712210	Highway toll services
63712300	Bridge and tunnel operation services
63712310	Bridge operating services
63712311	Bridge toll services
63712320	Tunnel operation services
63712321	Tunnel toll services
63712400	Parking services
63712500	Weighbridge services

## Service

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63712600	Vehicle refuelling services
63720000	Support services for water transport
63721000	Port and waterway operation services and associated services
63721100	Bunkering services
63721200	Port operation services
63721300	Waterway operation services
63721400	Ship refuelling services
63721500	Passenger terminal operation services
63722000	Ship-piloting services
63723000	Berthing services
63724000	Navigation services
63724100	Offshore positioning services
63724110	Lightship positioning services
63724200	Lightship services
63724300	Buoy positioning services
63724310	Buoy marking services
63724400	Lighthouse services
63725000	Salvage and refloating services
63725100	Vessel-salvaging services
63725200	Standby vessel services
63725300	Vessel refloating services
63726000	Miscellaneous water transport support services
63726100	Vessel registration services
63726200	Ice-breaking services
63726300	Vessel storage services
63726400	Ship chartering services
63726500	Vessel laying-up services
63726600	Ship-operating services
63726610	Ship-launching services
63726620	ROV services
63726700	Fishing-vessel services

	<b>Service</b>
63726800	Research vessel services
63726900	Anchor handling services
63727000	Towing and pushing services of ships
63727100	Towing services
63727200	Pushing services
63730000	Support services for air transport
63731000	Airport operation services
63731100	Airport slot coordination services
63732000	Air-traffic control services
63733000	Aircraft refuelling services
63734000	Hangar services
98361000	Aquatic marine services
<i>Personal placement and supply services but not employment contracts</i>	
79600000	Recruitment services
79610000	Placement services of personnel
79612000	Placement services of office-support personnel
79613000	Employee relocation services
79620000	Supply services of personnel including temporary staff
79621000	Supply services of office personnel
79623000	Supply services of commercial or industrial workers
79630000	Personnel services except placement and supply services
79631000	Personnel and payroll services
79634000	Career guidance services
79635000	Assessment centre services for recruitment
98510000	Services of commercial and industrial workers
98511000	Services of commercial workers
98512000	Services of industrial workers

## SCHEDULE 2

Regulation 44

### Central government authorities

Central government authorities



Lead authority (1)	Related authority (2)
Agri-Food and Biosciences Institute	
Armagh Observatory	
Armagh Planetarium	
Arts Council of Northern Ireland	
Attorney General's Office	Government Legal Department
Belfast Health and Social Care Trust	
Belfast Metropolitan College	
Cabinet Office	Office of the Parliamentary Counsel Boundary Commission for England Crown Commercial Service
Charity Commission	
The Charity Commission for Northern Ireland	
Chief Inspector of Criminal Justice	
Comhairle na Gaelscolaíochta	
Commissioner for Children and Young People for Northern Ireland	
Commissioner for Older People for Northern Ireland	
Commissioner for Public Appointments for Northern Ireland	
Commissioner for Victims and Survivors	
Community Relations Council	
Construction Industry Training Board – Construction Skills NI	
Corporate Officer of the House of Commons	
Corporate Officer of the House of Lords	
Council for Catholic Maintained Schools	
Council for the Curriculum, Examinations and Assessment	
Crown Estate – Vote Expenditure Only	
Crown Prosecution Service	
Department for Business, Energy and Industrial Strategy	Competition Appeal Tribunal

Lead authority (1)	Related authority (2)
	Competition and Markets Authority Competition Service Intellectual Property Office Nuclear Decommissioning Authority Meteorological Office (known as “Met Office”) Office of Manpower Economics Oil and Gas Authority UK Research and Innovation
Department for Digital, Culture, Media and Sport	Arts Council England British Library British Museum The Gambling Commission Historic Buildings and Monuments Commission for England (known as “Historic England”) Imperial War Museum National Gallery National Maritime Museum National Portrait Gallery Natural History Museum Board of Trustees of the Science Museum (known as “Science Museum Group”) Tate Gallery Victoria and Albert Museum Wallace Collection
Department for Education	Office for Students
Department for Environment, Food and Rural Affairs	Natural England Plant Variety Rights Office Royal Botanic Gardens, Kew
Department for International Trade	

Lead authority (1)	Related authority (2)
Department for Transport	Maritime and Coastguard Agency Highways England Company Ltd (known as "Highways England")
Department for Work and Pensions	Office of Nuclear Regulation Social Security Advisory Committee Pensions Regulator
Department of Health and Social Care	NHS Business Services Authority NHS Commissioning Board (known as "NHS England") NHS Trusts NHS Foundation Trusts
Education and Library Boards	
Education Authority	
Equality Commission for Northern Ireland	
Exceptional Circumstances Body	
Export Credits Guarantee Department (known as "UK Export Finance")	
Foreign, Commonwealth and Development Office	Wilton Park
General Teaching Council for Northern Ireland	
Government Actuary's Department	
Health and Safety Executive for Northern Ireland	
Health and Social Care Regulation and Quality Improvement Authority	
Home Office	HM Inspectorate of Constabulary and Fire & Rescue Services
ILEX Urban Regeneration Company Limited	
Invest Northern Ireland	
Labour Relations Agency	
Lay Observer for Northern Ireland	
Livestock and Meat Commission for Northern Ireland	
Local Government Staff Commission	

Lead authority (1)	Related authority (2)
Maze Long Kesh Development Corporation	
Middletown Centre for Autism	
Ministry of Defence	Defence Equipment & Support
Ministry of Housing, Communities and Local Government	
Ministry of Justice	Court of Appeal (England and Wales)
	Employment Appeals Tribunal
	Employment Tribunals
	First-tier Tribunal
	Her Majesty's Courts and Tribunals Service
	Law Commission
	Legal Aid Agency – England and Wales
	Office of the Official Solicitor to the Senior Courts and the Public Trustee
	Office of the Public Guardian
	Parole Board
	UK Supreme Court
	Upper Tribunal
The National Archives	
National Audit Office	
National Museums Northern Ireland	
National Savings and Investments	
North West Regional College	
Northern Health and Social Care Trust	
Northern Ireland Ambulance Service Trust	
Northern Ireland Assembly Commission	
Northern Ireland Blood Transfusion Service	
Northern Ireland Building Regulations Advisory Committee	
Northern Ireland Council for Integrated Education	
Northern Ireland Environment Agency	

Lead authority (1)	Related authority (2)
Northern Ireland Fire and Rescue Service	
Northern Ireland Fishery Harbour Authority	
Northern Ireland Guardian Ad Litem Agency	
Northern Ireland Housing Executive	
Northern Ireland Judicial Appointments Commission	
Northern Ireland Law Commission	
Northern Ireland Legal Services Commission	
Northern Ireland Library Authority	
Northern Ireland Local Government Officers' Superannuation Committee	
Northern Ireland Medical and Dental Training Agency	
Northern Ireland Ministers	Agricultural Wages Board for Northern Ireland  Attorney General for Northern Ireland  Department of Agriculture, Environment and Rural Affairs  Department for Communities  Department for the Economy  Consumer Council Northern Ireland (with respect only to the functions transferred from the National Consumer Council which were themselves transferred from the Gas and Electricity Consumer Council)  Department of Education  Department of Finance  Department of Health  Department for Infrastructure  Department of Justice  Coroners Service  County Courts  Court of Appeal and High Court of Justice in Northern Ireland

Lead authority (1)	Related authority (2)
	Crown Court
	Enforcement of Judgements Office
	Forensic Science Northern Ireland
	Legal Service Agency Northern Ireland
	Magistrates' Courts
	Pensions Appeals Tribunals (Northern Ireland)
	Police Service of Northern Ireland
	Probation Board for Northern Ireland
	Office of the Social Security Commissioners and Child Support Commissioners (Northern Ireland)
	State Pathologist's Department
Executive Office	
Northern Ireland Museums Council	
Northern Ireland Office	Office of the Chief Electoral Officer for Northern Ireland
	Public Prosecution Service for Northern Ireland
Northern Ireland Policing Board	
Northern Ireland Policing Fund	
Northern Ireland Practice and Education Council for Nursing and Midwifery	
Northern Ireland Prisoner Ombudsman	
Northern Ireland Screen	
Northern Ireland Social Care Council	
Northern Ireland Tourist Board	
Northern Ireland, Department for Social Development	
Northern Regional College	
Office for National Statistics	National Health Service Central Register
Parliamentary and Health Service Ombudsman	
Patient and Client Council	

Lead authority (1)	Related authority (2)
Planning and Water Appeals Commission	
Police Ombudsman Northern Ireland	
Police Retraining and Rehabilitation Trust	
Privy Council Office	
Public Service Commission for Northern Ireland	
Regional Agency for Public Health and Social Well Being	
Regional Business Services Organisation	
Restoration and Renewal Delivery Authority Ltd	
HM Revenue and Customs	
Revenue Scotland	
Royal Hospital, Chelsea	
Royal Mint	
RUC George Cross Foundation	
Rural Payments Agency	
The Scotland Office	
Scotland, Auditor-General	
Scotland, Crown Office and Procurator Fiscal Service	
Scotland, National Records of Scotland	
Scotland, Queen's and Lord Treasurer's Remembrancer	
Scotland, Registers of Scotland	
The Scottish Ministers	Architecture and Design Scotland
	Crofting Commission
	Lands Tribunal for Scotland
	National Galleries of Scotland
	National Library of Scotland
	National Museums of Scotland
	Royal Botanic Garden, Edinburgh
	Scottish Courts and Tribunals Service

Lead authority (1)	Related authority (2)
	Scottish Further and Higher Education Funding Council
	Scottish Law Commission
	Special Health Boards
	Health Boards
	The Office of the Accountant of Court
	High Court of Justiciary
	Court of Session
	HM Inspectorate of Constabulary
	Parole Board for Scotland
	Pensions Appeal Tribunals (Scotland)
	Scottish Land Court
	Sheriff Courts
	Scottish Natural Heritage
	Scottish Police Authority
	First-tier Tribunal for Scotland
	Upper Tribunal for Scotland
	Historic Environment Scotland
The Scottish Parliamentary Corporate Body	
South Eastern Health and Social Care Trust	
South Eastern Regional College	
South West College	
Southern Health and Social Care Trust	
Southern Regional College	
Sport NI	
Staff Commission for Education and Library Boards	
Statistics Advisory Committee	
Stranmillis University College	
Strategic Investment Board	
HM Treasury	United Kingdom Debt Management Office



Lead authority (1)	Related authority (2)
Ulster Supported Employment Limited	
Victims and Survivors Service Ltd	
The Wales Office – Office of the Secretary of State for Wales	
Western Health and Social Care Trust	
Youth Council for Northern Ireland	

### SCHEDULE 3

Regulation 45

#### Works activities

CPV code	Activity
45000000	Construction work
45100000	Site preparation work
45110000	Building demolition and wrecking work and earthmoving work
45111000	Demolition, site preparation and clearance work
45111100	Demolition work
45111200	Site preparation and clearance work
45111210	Blasting and associated rock-removal work
45111211	Blasting work
45111212	Rock-removal work
45111213	Site-clearance work
45111214	Blast-clearing work
45111220	Scrub-removal work
45111230	Ground-stabilisation work
45111240	Ground-drainage work
45111250	Ground investigation work
45111260	Site-preparation work for mining
45111290	Primary works for services
45111291	Site-development work
45111300	Dismantling works

<b>CPV code</b>	<b>Activity</b>
45111310	Dismantling works for military installations
45111320	Dismantling works for security installations
45112000	Excavating and earth moving work
45112100	Trench-digging work
45112200	Soil-stripping work
45112210	Topsoil-stripping work
45112300	Infill and land-reclamation work
45112310	Infill work
45112320	Land-reclamation work
45112330	Site-reclamation work
45112340	Soil-decontamination work
45112350	Reclamation of wasteland
45112360	Land rehabilitation work
45112400	Excavating work
45112410	Grave-digging work
45112420	Basement excavation work
45112440	Terracing of hillsides
45112441	Terracing work
45112450	Excavation work at archaeological sites
45112500	Earthmoving work
45112600	Cut and fill
45112700	Landscaping work
45112710	Landscaping work for green areas
45112711	Landscaping work for parks
45112712	Landscaping work for gardens
45112713	Landscaping work for roof gardens
45112714	Landscaping work for cemeteries
45112720	Landscaping work for sports grounds and recreational areas
45112721	Landscaping work for golf courses
45112722	Landscaping work for riding areas
45112723	Landscaping work for playgrounds

<b>CPV code</b>	<b>Activity</b>
45112730	Landscaping work for roads and motorways
45112740	Landscaping work for airports
45113000	Siteworks
45120000	Test drilling and boring work
45121000	Test drilling work
45122000	Test boring work
45200000	"Works for complete or part construction and civil engineering work"
45210000	Building construction work
45211000	Construction work for multi-dwelling buildings and individual houses
45211100	Construction work for houses
45211200	Sheltered housing construction work
45211300	Houses construction work
45211310	Bathrooms construction work
45211320	Porches construction work
45211340	Multi-dwelling buildings construction work
45211341	Flats construction work
45211350	Multi-functional buildings construction work
45211360	Urban development construction work
45211370	Construction works for saunas
45212000	Construction work for buildings relating to leisure, sports, culture, lodging and restaurants
45212100	Construction work of leisure facilities
45212110	Leisure centre construction work
45212120	Theme park construction work
45212130	Amusement park construction work
45212140	Recreation installation
45212150	Cinema construction work
45212160	Casino construction work
45212170	Entertainment building construction work
45212171	Entertainment centre construction work

<b>CPV code</b>	<b>Activity</b>
45212172	Recreation centre construction work
45212180	Ticket offices construction work
45212190	Sun-protection works
45212200	Construction work for sports facilities
45212210	Single-purpose sports facilities construction work
45212211	Ice rink construction work
45212212	Construction work for swimming pool
45212213	Sport markings works
45212220	Multi-purpose sports facilities construction work
45212221	Construction work in connection with structures for sports ground
45212222	Gymnasium construction work
45212223	Winter-sports facilities construction work
45212224	Stadium construction work
45212225	Sports hall construction work
45212230	Installation of changing rooms
45212290	Repair and maintenance work in connection with sports facilities
45212300	Construction work for art and cultural buildings
45212310	Construction work for buildings relating to exhibitions
45212311	Art gallery construction work
45212312	Exhibition centre construction work
45212313	Museum construction work
45212314	Historical monument or memorial construction work
45212320	Construction work for buildings relating to artistic performances
45212321	Auditorium construction work
45212322	Theatre construction work
45212330	Library construction work
45212331	Multimedia library construction work
45212340	Lecture hall construction work
45212350	Buildings of particular historical or architectural interest

<b>CPV code</b>	<b>Activity</b>
45212351	Prehistoric monument construction work
45212352	Industrial monument construction work
45212353	Palace construction work
45212354	Castle construction work
45212360	Religious buildings construction work
45212361	Church construction work
45212400	Accommodation and restaurant buildings
45212410	Construction work for lodging buildings
45212411	Hotel construction work
45212412	Hostel construction work
45212413	Short-stay accommodation construction work
45212420	Construction work for restaurants and similar facilities
45212421	Restaurant construction work
45212422	Canteen construction work
45212423	Cafeteria construction work
45212500	Kitchen or restaurant conversion
45212600	Pavilion construction work
45213000	Construction work for commercial buildings, warehouses and industrial buildings, buildings relating to transport
45213100	Construction work for commercial buildings
45213110	Shop buildings construction work
45213111	Shopping centre construction work
45213112	Shop units construction work
45213120	Post office construction work
45213130	Bank construction work
45213140	Market construction work
45213141	Covered market construction work
45213142	Open-air market construction work
45213150	Office block construction work
45213200	Construction work for warehouses and industrial buildings
45213210	Cold-storage installations
45213220	Construction work for warehouses

<b>CPV code</b>	<b>Activity</b>
45213221	Warehouse stores construction work
45213230	Abattoir construction work
45213240	Agricultural buildings construction work
45213241	Barn construction work
45213242	Cowsheds construction work
45213250	Construction work for industrial buildings
45213251	Industrial units construction work
45213252	Workshops construction work
45213260	Stores depot construction work
45213270	Construction works for recycling station
45213280	Construction works for compost facility
45213300	Buildings associated with transport
45213310	Construction work for buildings relating to road transport
45213311	Bus station construction work
45213312	Car park building construction work
45213313	Service-area building construction work
45213314	Bus garage construction work
45213315	Bus-stop shelter construction work
45213316	Installation works of walkways
45213320	Construction work for buildings relating to railway transport
45213321	Railway station construction work
45213322	Rail terminal building construction work
45213330	Construction work for buildings relating to air transport
45213331	Airport buildings construction work
45213332	Airport control tower construction work
45213333	Installation works of airport check-in counters
45213340	Construction work for buildings relating to water transport
45213341	Ferry terminal building construction work
45213342	Ro-ro terminal construction work
45213350	Construction work for buildings relating to various means of transport
45213351	Maintenance hangar construction work

<b>CPV code</b>	<b>Activity</b>
45213352	Service depot construction work
45213353	Installation works of passenger boarding bridges
45213400	Installation of staffrooms
45214000	Construction work for buildings relating to education and research
45214100	Construction work for kindergarten buildings
45214200	Construction work for school buildings
45214210	Primary school construction work
45214220	Secondary school construction work
45214230	Special school construction work
45214300	Construction work for college buildings
45214310	Vocational college construction work
45214320	Technical college construction work
45214400	Construction work for university buildings
45214410	Polytechnic construction work
45214420	Lecture theatre construction work
45214430	Language laboratory construction work
45214500	Construction work for buildings of further education
45214600	Construction work for research buildings
45214610	Laboratory building construction work
45214620	Research and testing facilities construction work
45214630	Scientific installations
45214631	Installation works of cleanrooms
45214640	Meteorological stations construction work
45214700	Construction work for halls of residence
45214710	Entrance hall construction work
45214800	Training facilities building
45215000	Construction work for buildings relating to health and social services, for crematoriums and public conveniences
45215100	Construction work for buildings relating to health
45215110	Spa construction work
45215120	Special medical building construction work

<b>CPV code</b>	<b>Activity</b>
45215130	Clinic construction work
45215140	Hospital facilities construction work
45215141	Operating theatre construction work
45215142	Intensive-care unit construction work
45215143	Diagnostic screening room construction work
45215144	Screening rooms construction work
45215145	Fluoroscopy room construction work
45215146	Pathology room construction work
45215147	Forensic room construction work
45215148	Catheter room construction work
45215200	Construction work for social services buildings
45215210	Construction work for subsidised residential accommodation
45215212	Retirement home construction work
45215213	Nursing home construction work
45215214	Residential homes construction work
45215215	Children's home construction work
45215220	Construction work for social facilities other than subsidised residential accommodation
45215221	Daycare centre construction work
45215222	Civic centre construction work
45215300	Construction work for crematoriums
45215400	Cemetery works
45215500	Public conveniences
45216000	Construction work for buildings relating to law and order or emergency services and for military buildings
45216100	Construction work for buildings relating to law and order or emergency services
45216110	Construction work for buildings relating to law and order
45216111	Police station construction work
45216112	Court building construction work
45216113	Prison building construction work
45216114	Parliament and public assembly buildings



<b>CPV code</b>	<b>Activity</b>
45216120	Construction work for buildings relating to emergency services
45216121	Fire station construction work
45216122	Ambulance station construction work
45216123	Mountain-rescue building construction work
45216124	Lifeboat station construction work
45216125	Emergency-services building construction work
45216126	Coastguard building construction work
45216127	Rescue-service station construction work
45216128	Lighthouse construction work
45216129	Protective shelters
45216200	Construction work for military buildings and installations
45216220	Military bunker construction work
45216230	Military shelter construction work
45216250	Trench defences construction work
45217000	Inflatable buildings construction work
45220000	Engineering works and construction works
45221000	Construction work for bridges and tunnels, shafts and subways
45221100	Construction work for bridges
45221110	Bridge construction work
45221111	Road bridge construction work
45221112	Railway bridge construction work
45221113	Footbridge construction work
45221114	Construction work for iron bridges
45221115	Construction work for steel bridges
45221117	Weighbridge construction work
45221118	Pipeline-carrying bridge construction work
45221119	Bridge renewal construction work
45221120	Viaduct construction work
45221121	Road viaduct construction work
45221122	Railway viaduct construction work

<b>CPV code</b>	<b>Activity</b>
45221200	Construction work for tunnels, shafts and subways
45221210	Covered or partially-covered excavations
45221211	Underpass
45221213	Covered or partially-covered railway excavations
45221214	Covered or partially-covered road excavations
45221220	Culverts
45221230	Shafts
45221240	Construction work for tunnels
45221241	Road tunnel construction work
45221242	Railway tunnel construction work
45221243	Pedestrian tunnel construction work
45221244	Canal tunnel construction work
45221245	Under-river tunnel construction work
45221246	Undersea tunnel construction work
45221247	Tunnelling works
45221248	Tunnel linings construction work
45221250	Underground work other than tunnels, shafts and subways
45222000	Construction work for engineering works except bridges, tunnels, shafts and subways
45222100	Waste-treatment plant construction work
45222110	Waste disposal site construction work
45222200	Engineering work for military installations
45222300	Engineering work for security installations
45223000	Structures construction work
45223100	Assembly of metal structures
45223110	Installation of metal structures
45223200	Structural works
45223210	Structural steelworks
45223220	Structural shell work
45223300	Parking lot construction work
45223310	Underground car park construction work
45223320	Park-and-ride facility construction work

<b>CPV code</b>	<b>Activity</b>
45223400	Radar station construction work
45223500	Reinforced-concrete structures
45223600	Dog kennels construction work
45223700	Service area construction work
45223710	Motorway service area construction work
45223720	Petrol/gas stations construction work
45223800	Assembly and erection of prefabricated structures
45223810	Prefabricated constructions
45223820	Prefabricated units and components
45223821	Prefabricated units
45223822	Prefabricated components
45230000	Construction work for pipelines, communication and power lines, for highways, roads, airfields and railways; flatwork
45231000	Construction work for pipelines, communication and power lines
45231100	General construction work for pipelines
45231110	Pipelaying construction work
45231111	Pipeline lifting and relaying
45231112	Installation of pipe system
45231113	Pipeline relaying works
45231200	Construction work for oil and gas pipelines
45231210	Construction work for oil pipelines
45231220	Construction work for gas pipelines
45231221	Gas supply mains construction work
45231222	Gasholder works
45231223	Gas distribution ancillary work
45231300	Construction work for water and sewage pipelines
45231400	Construction work for electricity powerlines
45231500	Compressed-air pipeline work
45231510	Compressed-air pipeline work for mailing system
45231600	Construction work for communication lines
45232000	Ancillary works for pipelines and cables

<b>CPV code</b>	<b>Activity</b>
45232100	Ancillary works for water pipelines
45232120	Irrigation works
45232121	Irrigation piping construction work
45232130	Storm-water piping construction work
45232140	District-heating mains construction work
45232141	Heating works
45232142	Heat-transfer station construction work
45232150	Works related to water-distribution pipelines
45232151	Water-main refurbishment construction work
45232152	Pumping station construction work
45232153	Construction work for water towers
45232154	Construction work of elevated tanks for drinking water
45232200	Ancillary works for electricity powerlines
45232210	Overhead line construction
45232220	Substation construction work
45232221	Transformer substation
45232300	Construction and ancillary works for telephone and communication lines
45232310	Construction work for telephone lines
45232311	Roadside emergency telephone lines
45232320	Cable broadcasting lines
45232330	Erection of aerials
45232331	Ancillary works for broadcasting
45232332	Ancillary works for telecommunications
45232340	Mobile-telephone base-stations construction work
45232400	Sewer construction work
45232410	Sewerage work
45232411	Foul-water piping construction work
45232420	Sewage work
45232421	Sewage treatment works
45232422	Sludge-treatment works
45232423	Sewage pumping stations construction work

<b>CPV code</b>	<b>Activity</b>
45232424	Sewage outfall construction work
45232430	Water-treatment work
45232431	Wastewater pumping station
45232440	Construction work for sewage pipes
45232450	Drainage construction works
45232451	Drainage and surface works
45232452	Drainage works
45232453	Drains construction work
45232454	Rain-water basin construction work
45232460	Sanitary works
45232470	Waste transfer station
45233000	Construction, foundation and surface works for highways, roads
45233100	Construction work for highways, roads
45233110	Motorway construction works
45233120	Road construction works
45233121	Main road construction works
45233122	Ring road construction work
45233123	Secondary road construction work
45233124	Trunk road construction work
45233125	Road junction construction work
45233126	Grade-separated junction construction work
45233127	T-junction construction work
45233128	Roundabout construction work
45233129	Crossroad construction work
45233130	Construction work for highways
45233131	Construction work for elevated highways
45233139	Highway maintenance work
45233140	Roadworks
45233141	Road-maintenance works
45233142	Road-repair works
45233144	Overpass construction work

<b>CPV code</b>	<b>Activity</b>
45233150	Traffic-calming works
45233160	Paths and other metalled surfaces
45233161	Footpath construction work
45233162	Cycle path construction work
45233200	Various surface works
45233210	Surface work for highways
45233220	Surface work for roads
45233221	Road-surface painting work
45233222	Paving and asphaltting works
45233223	Carriageway resurfacing works
45233224	Dual carriageway construction work
45233225	Single carriageway construction work
45233226	Access road construction work
45233227	Slip road construction work
45233228	Surface coating construction work
45233229	Verge maintenance work
45233250	Surfacing work except for roads
45233251	Resurfacing works
45233252	Surface work for streets
45233253	Surface work for footpaths
45233260	Pedestrian ways construction work
45233261	Pedestrian overpass construction work
45233262	Pedestrian zone construction work
45233270	Parking-lot-surface painting work
45233280	Erection of road-barriers
45233290	Installation of road signs
45233291	Installation of bollards
45233292	Installation of safety equipment
45233293	Installation of street furniture
45233294	Installation of road signals
45233300	Foundation work for highways, roads, streets and footpaths

<b>CPV code</b>	<b>Activity</b>
45233310	Foundation work for highways
45233320	Foundation work for roads
45233330	Foundation work for streets
45233340	Foundation work for footpaths
45234000	Construction work for railways and cable transport systems
45234100	Railway construction works
45234110	Intercity railway works
45234111	City railway construction work
45234112	Railway depot construction work
45234113	Demolition of tracks
45234114	Railway embankment construction work
45234115	Railway signalling works
45234116	Track construction works
45234120	Urban railway works
45234121	Tramway works
45234122	Underground railway works
45234123	Partially underground railway works
45234124	Underground passenger railway transport
45234125	Underground railway station
45234126	Tramline construction works
45234127	Tramway depot construction work
45234128	Tramway platforms construction work
45234129	Urban railway track construction works
45234130	Ballast construction works
45234140	Level crossing construction works
45234160	Catenary's construction works
45234170	Locomotive-substations construction works
45234180	Construction work for railways workshop
45234181	Construction work for rail track sectioning cabins
45234200	Cable-supported transport systems
45234210	Cable-supported transport systems with cabins

<b>CPV code</b>	<b>Activity</b>
45234220	Construction work for ski lifts
45234230	Construction work for chair lifts
45234240	Funicular railway system
45234250	Teleferic construction work
45235000	Construction work for airfields, runways and manoeuvring surfaces
45235100	Construction work for airports
45235110	Construction work for air fields
45235111	Airfield pavement construction work
45235200	Runway construction works
45235210	Runway resurfacing
45235300	Construction work for aircraft-manoevring surfaces
45235310	Taxiway construction work
45235311	Taxiway pavement construction work
45235320	Construction work for aircraft aprons
45236000	Flatwork
45236100	Flatwork for miscellaneous sports installations
45236110	Flatwork for sports fields
45236111	Flatwork for golf course
45236112	Flatwork for tennis court
45236113	Flatwork for racecourse
45236114	Flatwork for running tracks
45236119	Repair work on sports fields
45236200	Flatwork for recreation installations
45236210	Flatwork for children's play area
45236220	Flatwork for zoo
45236230	Flatwork for gardens
45236250	Flatwork for parks
45236290	Repair work on recreational areas
45236300	Flatwork for cemeteries
45237000	Stage construction works
45240000	Construction work for water projects



<b>CPV code</b>	<b>Activity</b>
45241000	Harbour construction works
45241100	Quay construction work
45241200	Offshore terminal in situ construction work
45241300	Pier construction work
45241400	Dock construction work
45241500	Wharf construction work
45241600	Installation of port lighting equipment
45242000	Waterside leisure facilities construction work
45242100	Water-sports facilities construction work
45242110	Launchway construction work
45242200	Marina construction work
45242210	Yacht harbour construction work
45243000	Coastal-defence works
45243100	Cliff-protection works
45243110	Cliff-stabilisation works
45243200	Breakwater construction work
45243300	Sea wall construction work
45243400	Beach-consolidation works
45243500	Sea defences construction work
45243510	Embankment works
45243600	Quay wall construction work
45244000	Marine construction works
45244100	Marine installations
45244200	Jetties
45245000	Dredging and pumping works for water treatment plant installations
45246000	River regulation and flood control works
45246100	River-wall construction
45246200	Riverbank protection works
45246400	Flood-prevention works
45246410	Flood-defences maintenance works
45246500	Promenade construction work

<b>CPV code</b>	<b>Activity</b>
45246510	Boardwalk construction work
45247000	Construction work for dams, canals, irrigation channels and aqueducts
45247100	Construction work for waterways
45247110	Canal construction
45247111	Irrigation channel construction work
45247112	Drainage canal construction work
45247120	Waterways except canals
45247130	Aqueduct construction work
45247200	Construction work for dams and similar fixed structures
45247210	Dam construction work
45247211	Dam wall construction work
45247212	Dam-reinforcement works
45247220	Weir construction work
45247230	Dyke construction work
45247240	Static barrage construction work
45247270	Reservoir construction works
45248000	Construction work for hydro-mechanical structures
45248100	Canal locks construction work
45248200	Dry docks construction work
45248300	Construction work for floating docks
45248400	Landing stages construction work
45248500	Movable barrages construction work
45250000	Construction works for plants, mining and manufacturing and for buildings relating to the oil and gas industry
45251000	Construction works for power plants and heating plants
45251100	Construction work for power plant
45251110	Nuclear-power station construction work
45251111	Construction work for nuclear reactors
45251120	Hydro-electric plant construction work
45251140	Thermal power plant construction work
45251141	Geothermal power station construction work

<b>CPV code</b>	<b>Activity</b>
45251142	Wood-fired power station construction work
45251143	Compressed-air generating plant construction work
45251150	Construction work for cooling towers
45251160	Wind-power installation works
45251200	Heating plant construction work
45251220	Cogeneration plant construction work
45251230	Steam-generation plant construction work
45251240	Landfill-gas electricity generating plant construction work
45251250	District-heating plant construction work
45252000	Construction works for sewage treatment plants, purification plants and refuse incineration plants
45252100	Sewage-treatment plant construction work
45252110	Mobile plant construction work
45252120	Water-treatment plant construction work
45252121	Sedimentation installations
45252122	Sewage digesters
45252123	Screening installations
45252124	Dredging and pumping works
45252125	Rock-dumping work
45252126	Drinking-water treatment plant construction work
45252127	Wastewater treatment plant construction work
45252130	Sewage plant equipment
45252140	Sludge-dewatering plant construction work
45252150	Coal-handling plant construction work
45252200	Purification plant equipment
45252210	Water purification plant construction work
45252300	Refuse-incineration plant construction work
45253000	Construction work for chemical-processing plant
45253100	Demineralisation plant construction work
45253200	Desulphurisation plant construction work
45253300	Distilling or rectifying plant construction work
45253310	Water-distillation plants construction work

<b>CPV code</b>	<b>Activity</b>
45253320	Alcohol-distillation plants construction work
45253400	Construction work for petrochemical plant
45253500	Construction work for pharmaceutical plant
45253600	Deionisation plant construction work
45253700	Digestion plant construction work
45253800	Composting plant construction work
45254000	Construction work for mining and manufacturing
45254100	Construction work for mining
45254110	Pithead construction work
45254200	Construction work for manufacturing plant
45255000	Construction work for the oil and gas industry
45255100	Construction work for production platforms
45255110	Wells construction work
45255120	Platforms facilities construction work
45255121	Topside facilities construction work
45255200	Oil refinery construction work
45255210	Oil terminal construction work
45255300	Gas terminal construction work
45255400	Fabrication work
45255410	Offshore fabrication work
45255420	Onshore fabrication work
45255430	Demolition of oil platforms
45255500	Drilling and exploration work
45255600	Coiled-tubing well work
45255700	Coal-gasification plant construction work
45255800	Gas-production plant construction work
45259000	Repair and maintenance of plant
45259100	Wastewater-plant repair and maintenance work
45259200	Purification-plant repair and maintenance work
45259300	Heating-plant repair and maintenance work
45259900	Plant upgrade work

<b>CPV code</b>	<b>Activity</b>
45260000	Roof works and other special trade construction works
45261000	Erection and related works of roof frames and coverings
45261100	Roof-framing work
45261200	Roof-covering and roof-painting work
45261210	Roof-covering work
45261211	Roof-tiling work
45261212	Roof-slating work
45261213	Metal roof-covering work
45261214	Bituminous roof-covering work
45261215	Solar panel roof-covering work
45261220	Roof-painting and other coating work
45261221	Roof-painting work
45261222	Cement roof-coating work
45261300	Flashing and guttering work
45261310	Flashing work
45261320	Guttering work
45261400	Sheeting work
45261410	Roof insulation work
45261420	Waterproofing work
45261900	Roof repair and maintenance work
45261910	Roof repair
45261920	Roof maintenance work
45262000	Special trade construction works other than roof works
45262100	Scaffolding work
45262110	Scaffolding dismantling work
45262120	Scaffolding erection work
45262200	Foundation work and water-well drilling
45262210	Foundation work
45262211	Pile driving
45262212	Trench sheeting work
45262213	Diaphragm wall technique

<b>CPV code</b>	<b>Activity</b>
45262220	Water-well drilling
45262300	Concrete work
45262310	Reinforced-concrete work
45262311	Concrete carcassing work
45262320	Screed works
45262321	Floor-screed works
45262330	Concrete repair work
45262340	Grouting work
45262350	Unreinforced-concrete work
45262360	Cementing work
45262370	Concrete-coating work
45262400	Structural steel erection work
45262410	Structural steel erection work for buildings
45262420	Structural steel erection work for structures
45262421	Offshore mooring work
45262422	Subsea drilling work
45262423	Deck-fabrication work
45262424	Offshore-module fabrication work
45262425	Jacket-fabrication work
45262426	Pile-fabrication work
45262500	Masonry and bricklaying work
45262510	Stonework
45262511	Stone carving
45262512	Dressed stonework
45262520	Bricklaying work
45262521	Facing brickwork
45262522	Masonry work
45262600	Miscellaneous special-trade construction work
45262610	Industrial chimneys
45262620	Supporting walls
45262630	Construction of furnaces

<b>CPV code</b>	<b>Activity</b>
45262640	Environmental improvement works
45262650	Cladding works
45262660	Asbestos-removal work
45262670	Metalworking
45262680	Welding
45262690	Refurbishment of run-down buildings
45262700	Building alteration work
45262710	Fresco maintenance work
45262800	Building extension work
45262900	Balcony work
45300000	Building installation work
45310000	Electrical installation work
45311000	Electrical wiring and fitting work
45311100	Electrical wiring work
45311200	Electrical fitting work
45312000	Alarm system and antenna installation work
45312100	Fire-alarm system installation work
45312200	Burglar-alarm system installation work
45312300	Antenna installation work
45312310	Lightning-protection works
45312311	Lightning-conductor installation work
45312320	Television aerial installation work
45312330	Radio aerial installation work
45313000	Lift and escalator installation work
45313100	Lift installation work
45313200	Escalator installation work
45313210	Travelator installation work
45314000	Installation of telecommunications equipment
45314100	Installation of telephone exchanges
45314120	Installation of switchboards
45314200	Installation of telephone lines

<b>CPV code</b>	<b>Activity</b>
45314300	Installation of cable infrastructure
45314310	Installation of cable laying
45314320	Installation of computer cabling
45315000	Electrical installation work of heating and other electrical building-equipment
45315100	Electrical engineering installation works
45315200	Turbine works
45315300	Electricity supply installations
45315400	High voltage installation work
45315500	Medium-voltage installation work
45315600	Low-voltage installation work
45315700	Switching station installation work
45316000	Installation work of illumination and signalling systems
45316100	Installation of outdoor illumination equipment
45316110	Installation of road lighting equipment
45316200	Installation of signalling equipment
45316210	Installation of traffic monitoring equipment
45316211	Installation of illuminated road signs
45316212	Installation of traffic lights
45316213	Installation of traffic guidance equipment
45316220	Installation of airport signalling equipment
45316230	Installation of port signalling equipment
45317000	Other electrical installation work
45317100	Electrical installation work of pumping equipment
45317200	Electrical installation work of transformers
45317300	Electrical installation work of electrical distribution apparatus
45317400	Electrical installation work of filtration equipment
45320000	Insulation work
45321000	Thermal insulation work
45323000	Sound insulation work
45324000	Plasterboard works
45330000	Plumbing and sanitary works



<b>CPV code</b>	<b>Activity</b>
45331000	Heating, ventilation and air-conditioning installation work
45331100	Central-heating installation work
45331110	Boiler installation work
45331200	Ventilation and air-conditioning installation work
45331210	Ventilation installation work
45331211	Outdoor ventilation installation work
45331220	Air-conditioning installation work
45331221	Partial air-conditioning installation work
45331230	Installation work of cooling equipment
45331231	Installation work of refrigeration equipment
45332000	Plumbing and drain-laying work
45332200	Water plumbing work
45332300	Drain-laying work
45332400	Sanitary fixture installation work
45333000	Gas-fitting installation work
45333100	Gas regulation equipment installation work
45333200	Gas meter installation work
45340000	Fencing, railing and safety equipment installation work
45341000	Erection of railings
45342000	Erection of fencing
45343000	Fire-prevention installation works
45343100	Fireproofing work
45343200	Firefighting equipment installation work
45343210	CO2 fire-extinguishing equipment installation work
45343220	Fire-extinguishers installation work
45343230	Sprinkler systems installation work
45350000	Mechanical installations
45351000	Mechanical engineering installation works
45400000	Building completion work
45410000	Plastering work
45420000	Joinery and carpentry installation work

<b>CPV code</b>	<b>Activity</b>
45421000	Joinery work
45421100	Installation of doors and windows and related components
45421110	Installation of door and window frames
45421111	Installation of door frames
45421112	Installation of window frames
45421120	Installation of thresholds
45421130	Installation of doors and windows
45421131	Installation of doors
45421132	Installation of windows
45421140	Installation of metal joinery except doors and windows
45421141	Installation of partitioning
45421142	Installation of shutters
45421143	Installation work of blinds
45421144	Installation work of awnings
45421145	Installation work of roller blinds
45421146	Installation of suspended ceilings
45421147	Installation of grilles
45421148	Installation of gates
45421150	Non-metal joinery installation work
45421151	Installation of fitted kitchens
45421152	Installation of partition walls
45421153	Installation of built-in furniture
45421160	Ironmongery work
45422000	Carpentry installation work
45422100	Woodwork
45430000	Floor and wall covering work
45431000	Tiling work
45431100	Floor-tiling work
45431200	Wall-tiling work
45432000	Floor-laying and covering, wall-covering and wall-papering work
45432100	Floor laying and covering work

<b>CPV code</b>	<b>Activity</b>
45432110	Floor-laying work
45432111	Laying work of flexible floor coverings
45432112	Laying of paving
45432113	Parquet flooring
45432114	Wood flooring work
45432120	False floor installation work
45432121	Computer floors
45432130	Floor-covering work
45432200	Wall-covering and wall-papering work
45432210	Wall-covering work
45432220	Wall-papering work
45440000	Painting and glazing work
45441000	Glazing work
45442000	Application work of protective coatings
45442100	Painting work
45442110	Painting work of buildings
45442120	Painting and protective-coating work of structures
45442121	Painting work of structures
45442180	Repainting work
45442190	Paint-stripping work
45442200	Application work of anti-corrosive coatings
45442210	Galvanizing works
45442300	Surface-protection work
45443000	Façade work
45450000	Other building completion work
45451000	Decoration work
45451100	Ornamentation fitting work
45451200	Panelling work
45451300	Interior gardens
45452000	Exterior cleaning work for buildings
45452100	Blast cleaning work for building exteriors

<b>CPV code</b>	<b>Activity</b>
45453000	Overhaul and refurbishment work
45453100	Refurbishment work
45454000	Restructuring work
45454100	Restoration work
45500000	Hire of construction and civil engineering machinery and equipment with operator
45510000	Hire of cranes with operator
45520000	Hire of earth moving equipment with operator

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations supplement the Procurement Act 2023 (c. 54) (“PA 2023”).

Part 2 makes provision about the transparency of procurements carried out by contracting authorities under the PA 2023. Regulation 5 provides that certain notices, documents or information must be published or given by publishing them on the central digital platform which is an online system provided by the Minister for the Cabinet Office at the following website address: <https://www.gov.uk/find-tender>.

Regulations 6 and 7 make provision about how core supplier information (such as information about a supplier’s connected persons) is given to a contracting authority with a view to the award of a public contract. They provide that the authority must obtain confirmation that the supplier has shared that information through the central digital platform before a deadline. Regulations 9 to 12 set out what information is core supplier information.

Regulation 13 to 41 make provision about what information must be included in notices, documents or information which must be published under the PA 2023. In some cases, a provision sets out what other information must be included in addition to information which must be included in accordance with the PA 2023 itself. For example, regulation 17 sets out other information which must be included in a preliminary market engagement notice, in addition to the information which must be included in accordance with section 17(2)(a) of the PA 2023.

Part 3 makes provision which supplements the PA 2023 otherwise than in relation to transparency measures.

Regulation 42 and Schedule 1 specify the categories of services that qualify as “light touch” services for the purposes of sections 9 and 33 of the PA 2023. If a service is “light touch” it may be procured according to different rules from those that apply to the other types of contract whose procurement is covered by the PA 2023. These provisions also set out which of those services may be reserved such that a contracting authority may provide that only a qualifying public service mutual, as defined by the PA 2023, can bid for a contract for those services.

Regulation 43 disapplies the PA 2023 in respect of procurement by the NHS in England. The Health Care Services (Provider Selection Regime) Regulations 2023 (S.I. 2023/1348) instead apply in this area.

Regulations 44 and 45 and Schedules 2 and 3 define the terms “central government authority” and “works” as they are used in the PA 2023. In Schedule 2, the entities defined as central government authorities are listed under the headings “lead authority” and “related authority” in order to provide consistency with the way the UK authorities covered by the WTO’s Agreement on Government Procurement are set out in the annexes to that agreement. As a result, entities may not always appear in alphabetical order. Regulation 46 defines the term “defence authority” as used in the PA 2023.

Part 4 of these Regulations contains amendments to the PA 2023. The amendments at regulation 47 insert into the PA 2023 new provisions which set out how that Act applies where a contracting authority which is a devolved Scottish authority wishes either to participate in a joint procurement or similar arrangement which is governed by the PA 2023, or to make use of a framework or dynamic market established under that Act.

Regulation 48 amends section 17 of the PA 2023 to disapply the requirement to publish a preliminary market engagement notice in respect of reserved and transferred Northern Ireland procurement by private utilities.

Part 5 makes provision about how these Regulations apply in relation to devolved Welsh authorities and devolved Scottish authorities.

An impact assessment in relation to the PA 2023 and associated reforms was published in May 2022 and can be found at <https://bills.parliament.uk/publications/46429/documents/1767> or may be obtained by writing to the Cabinet Office, 70 Whitehall, London, SW1A 2AS, United Kingdom.

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