



# Procurement Act 2023

## 2023 CHAPTER 54

### PART 11

#### APPROPRIATE AUTHORITIES AND CROSS-BORDER PROCUREMENT

#### **115 Powers relating to procurement arrangements**

- (1) A Minister of the Crown may by regulations make provision, including provision amending this Act, for the purpose of regulating devolved Scottish authorities carrying out procurement under—
  - (a) reserved procurement arrangements,
  - (b) devolved Welsh procurement arrangements, or
  - (c) transferred Northern Ireland procurement arrangements.
- (2) A Minister of the Crown may by regulations amend this Act for the purpose of disapplying provision so far as it relates to procurement under devolved Scottish procurement arrangements.
- (3) The Scottish Ministers may by regulations amend Scottish procurement legislation for the purpose of—
  - (a) applying it in relation to procurement carried out by contracting authorities under devolved Scottish procurement arrangements;
  - (b) disapplying it in relation to procurement carried out by devolved Scottish authorities under—
    - (i) reserved procurement arrangements,
    - (ii) devolved Welsh procurement arrangements, or
    - (iii) transferred Northern Ireland procurement arrangements.
- (4) In this Act, “Scottish procurement legislation” means—
  - (a) the Procurement Reform (Scotland) Act 2014 ([asp 12](#)),
  - (b) the Public Contracts (Scotland) Regulations 2015 ([S.S.I. 2015/446](#)),
  - (c) the Utilities Contracts (Scotland) Regulations 2016 ([S.S.I. 2016/49](#)),
  - (d) the Concession Contracts (Scotland) Regulations 2016 ([S.S.I. 2016/65](#)), and

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*Changes to legislation: There are currently no known outstanding effects for the Procurement Act 2023, Section 115. (See end of Document for details)*

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- (e) any legislation which modifies or replaces that legislation (including an Act of the Scottish Parliament).

**Commencement Information**

- I1** S. 115 not in force at Royal Assent, see [s. 127\(2\)](#)  
**I2** [S. 115\(1\)](#) in force at 12.3.2024 by [S.I. 2024/361](#), [reg. 2\(p\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Procurement Act 2023, Section 115.