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STATUTORY INSTRUMENTS

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**2006 No. 6**

**The Utilities Contracts Regulations 2006**

**PART 7**

**MATTERS RELATING TO A CONTRACT**

**Obligations relating to taxes, environmental protection, employment protection and working conditions**

**35.**—(1) A utility may include in the contract documents relating to a works contract or a services contract information as to where a contractor or services provider may obtain information about the obligations relating to taxes, environmental protection, employment protection and working conditions which will apply to—

- (a) the work or works to be carried out under the works contract; or
- (b) the services to be provided under the services contract.

(2) A utility which provides the information referred to in paragraph (1) shall request contractors or services providers to indicate that they have taken account of the obligations relating to those employment protection provisions and those working conditions in preparing their tender or in negotiating the contract.

**Conditions for performance of contracts**

**36.**—(1) A utility may stipulate conditions relating to the performance of a contract, provided that those conditions are compatible with Community law and are indicated in—

- (a) the notice used as a means of calling for competition and the contract documents; or
- (b) the contract documents.

(2) The conditions referred to in paragraph (1) may, in particular, include social or environmental considerations.