
STATUTORY INSTRUMENTS

2013 No. 257

The National Health Service (Procurement, Patient
Choice and Competition) Regulations 2013

PART 3

Investigations, declarations, directions and undertakings

Actions brought under the Public Contracts Regulations 2006

17. A person who has brought an action under the Public Contracts Regulations 2006 for loss or damage may not bring an action under section 76(7) of the Health and Social Care Act 2012⁽¹⁾ in respect of the whole or part of the same loss or damage.

⁽¹⁾ Section 76(7) of the 2012 Act provides that a failure to comply with a requirement imposed by regulations made under section 75 of that Act which causes loss or damage is actionable.