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STATUTORY INSTRUMENTS

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**2015 No. 102**

**The Public Contracts Regulations 2015**

**PART 3**

**REMEDIES**

**CHAPTER 6**

**APPLICATIONS TO THE COURT**

**Interim orders**

- 96.**—(1) In proceedings, the Court may, where relevant, make an interim order—
- (a) bringing to an end the requirement imposed by regulation 95(1);
  - (b) restoring or modifying that requirement;
  - (c) suspending the procedure leading to—
    - (i) the award of the contract, or
    - (ii) the determination of the design contest,in relation to which the breach of the duty owed in accordance with regulation 89 or 90 is alleged;
  - (d) suspending the implementation of any decision or action taken by the contracting authority in the course of following such a procedure.
- (2) When deciding whether to make an order under paragraph (1)(a)—
- (a) the Court must consider whether, if regulation 95(1) were not applicable, it would be appropriate to make an interim order requiring the contracting authority to refrain from entering into the contract; and
  - (b) only if the Court considers that it would not be appropriate to make such an interim order may it make an order under paragraph (1)(a).
- (3) If the Court considers that it would not be appropriate to make an interim order of the kind mentioned in paragraph (2)(a) in the absence of undertakings or conditions, it may require or impose such undertakings or conditions in relation to the requirement in regulation 95(1).
- (4) The Court may not make an order under paragraph (1)(a) or (b) or (3) before the end of the standstill period.
- (5) This regulation does not prejudice any other powers of the Court.