
STATUTORY INSTRUMENTS

2016 No. 274

The Utilities Contracts Regulations 2016

PART 2

RULES APPLICABLE TO CONTRACTS

CHAPTER 3

Conduct of the procedure

SECTION 1

Preparation

Communication of technical specifications

63.—(1) On request from economic operators interested in obtaining a contract, utilities shall make available—

(a) the technical specifications regularly referred to in their supply, works or service contracts
F1 ...

F1(b)

(2) Subject to paragraph (3), the technical specifications referred to in paragraph (1) shall be made available by electronic means of communication through unrestricted and full direct access free of charge.

(3) Technical specifications shall be transmitted by means other than electronic means where unrestricted and full direct access free of charge by electronic means to certain procurement documents cannot be offered—

(a) for one of the reasons set out in regulation 40(3), or

(b) because the utilities intend to apply regulation 39(3).

(4) Where the technical specifications are based on documents available by electronic means through unrestricted and full direct access free of charge to interested economic operators, the inclusion of a reference to those documents shall be sufficient.

Textual Amendments

F1 Reg. 63(1)(b) and word omitted (E. N.I.) (25.5.2023) by virtue of [The Public Procurement \(International Trade Agreements\) \(Amendment\) Regulations 2023 \(S.I. 2023/484\)](#), regs. 1(2), **4(14)** (with regs. 1(4)(b), 5); and omitted (W.) (26.5.2023) by virtue of [The Public Procurement \(International Trade Agreements\) \(Amendment\) \(Wales\) \(No. 2\) Regulations 2023 \(S.I. 2023/567\)](#), regs. 1(2), **4(14)** (with reg. 5)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Utilities Contracts Regulations 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Regulations revoked by [2023 c. 54 Sch. 11 para. 7](#)
- reg. 63(1)(b) and word omitted by [S.I. 2023/506 reg. 4\(14\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2023/506 revoked before coming into force by The Public Procurement (International Trade Agreements) (Amendment) (Wales) (No. 2) Regulations 2023 (S.I. 2023/567), regs. 1(2), 6)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 20(2)(2A) substituted for reg. 20(2) by [2024 c. 6 Sch. para. 9\(3\)](#)
- reg. 20(5) inserted by [2024 c. 6 Sch. para. 9\(6\)](#)
- reg. 21(1)(c)(i)(aa) words substituted by [S.I. 2019/560 reg. 9\(12\)\(a\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Affecting Regulations revoked (20.11.2020) by S.I. 2020/1319, regs. 1(3), 2(a))
- reg. 21(1)(c)(i)(bb) words substituted by [S.I. 2019/560 reg. 9\(12\)\(a\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Affecting Regulations revoked (20.11.2020) by S.I. 2020/1319, regs. 1(3), 2(a))
- reg. 70(2)(a)(iiia) inserted by [2024 c. 6 Sch. para. 10](#)