



# Procurement Reform (Scotland) Act 2014

## 2014 asp 12

### PROCUREMENT REFORM (SCOTLAND) ACT 2014

#### PART 1

##### KEY CONCEPTS AND APPLICATION

###### *Contracting authorities*

- 1 Contracting authorities

###### *Regulated procurements*

- 2 Regulated procurements

###### *Regulated contracts*

- 3 Regulated contracts
- 4 Excluded contracts
- 5 Estimated value of contract

###### *Framework agreements and dynamic purchasing systems*

- 6 Framework agreements and call-off contracts
- 7 Dynamic purchasing systems

#### PART 2

##### GENERAL DUTIES AND PROCUREMENT STRATEGIES

###### *General duties*

- 8 General duties
- 9 Sustainable procurement duty
- 10 Guidance on sustainable procurement duty
- 11 Supported businesses
- 12 Contracts for health or social care services
- 13 Guidance on procurements for health or social care services

**Changes to legislation:** Procurement Reform (Scotland) Act 2014 is up to date with all changes known to be in force on or before 26 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- 14 Other circumstances in which contract can be awarded without competition

*Procurement strategy and annual report*

- 15 Procurement strategy  
 16 Joint strategies  
 17 Compliance with strategy  
 18 Annual procurement reports  
 19 Publication etc.  
 20 Guidance  
 21 Annual report on procurement activity in Scotland

**PART 3**

SPECIFIC DUTIES

*Publication of notices on Public Contracts website*

- 22 Public Contracts website  
 23 Publication of contract notices and award notices

*Community benefit requirements*

- 24 Community benefit requirements  
 25 Community benefit requirements in major contracts  
 26 Guidance on community benefit requirements

*Selection of tenderers and award of contracts*

- 27 Exclusion of economic operators on grounds of criminal activity  
 28 Selection of tenderers  
 29 Guidance on selection of tenderers and award of contracts

*Technical specifications*

- 30 Technical specifications

*Charges for participation in procurement process*

- 31 Charges for participation in procurement process

*Giving of reasons*

- 32 Giving of reasons to unsuccessful participants  
 33 Request for further information  
 34 Withholding information

*Contracts register*

- 35 Contracts register

*Procurement of recycled and recyclable products etc.*

- 36 Amendment of Climate Change (Scotland) Act 2009

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## PART 4

### REMEDIES

- 37 Actionable duties
- 38 Procedure and time limits
- 39 Determination by the court
- 40 Transfer of forum for proceedings to First-tier Tribunal

## PART 5

### GENERAL

#### *Interpretation*

- 41 Public Contracts Regulations and Higher Value Regulated Procurements
- 42 General interpretation

#### *Final provisions*

- 43 Ancillary provision
- 44 Subordinate legislation
- 45 Commencement
- 46 Short title

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## SCHEDULE — Contracting authorities

### Part 1 — SCOTTISH ADMINISTRATION AND SCOTTISH PARLIAMENT

- 1 Scottish Ministers
- 2 Scottish Parliamentary Corporate Body
- 3 Queen's and Lord Treasurer's Remembrancer
- 4 Keeper of the Records of Scotland
- 5 Keeper of the Registers of Scotland
- 6 Registrar General of Births, Deaths and Marriages for Scotland
- 7 Her Majesty's Inspectors of Constabulary
- 8 Her Majesty's Chief Inspector of Prisons for Scotland
- 9 Her Majesty's Inspector of Anatomy for Scotland
- 10 Her Majesty's inspectors of schools (that is to say, the...
- 11 Office of the Scottish Charity Regulator
- 12 Procurators fiscal
- 13 Scottish Housing Regulator
- 13A Revenue Scotland
- 13B Food Standards Scotland
- 13C Scottish Fiscal Commission
- 13D Consumer Scotland
- 13E Environmental Standards Scotland.

### Part 2 — LOCAL GOVERNMENT

- 14 A local authority
- 15 A joint board established by order under section 62A(1) or...

### Part 3 — OTHERS

- 16 Accounts Commission for Scotland
- 17 Architecture and Design Scotland
- 18 Audit Scotland
- 19 Auditor General for Scotland

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- 20 Board of Trustees for the National Galleries of Scotland
- 21 Board of Trustees of the National Museums of Scotland
- 22 Board of Trustees of the Royal Botanic Garden, Edinburgh
- 23 Bòrd na Gàidhlig
- 23A Boundaries Scotland
- 24 Chief constable of the Police Service of Scotland
- 25 Children's Hearings Scotland
- 26 Commission for Ethical Standards in Public Life in Scotland
- 27 Commissioner for Children and Young People in Scotland
- 28 Common Services Agency for the Scottish Health Service
- 28A Community Justice Scotland
- 29 Creative Scotland
- 30 Crofting Commission
- 31 A Health Board (constituted under section 2(1)(a) of the National...
- 32 Healthcare Improvement Scotland
- 33 Her Majesty's Chief Inspector of Prosecution in Scotland
- 34 Highlands and Islands Enterprise
- 34A Historic Environment Scotland.
- 35 Lands Tribunal for Scotland
- 36 Local Government Boundary Commission for Scotland
- 37 Mental Welfare Commission for Scotland
- 38 National Library of Scotland
- 39 A National Park authority established by virtue of a designation...
- 40 Parole Board for Scotland
- 41 Police Investigations and Review Commissioner
- 42 Private rented housing panel
- 42A Redress Scotland
- 43 Contracting authorities
- 43A Scottish Biometrics Commissioner
- 44 Scottish Children's Reporter Administration
- 45 Scottish Commission for Human Rights
- 46 Scottish Court Service
- 47 Scottish Criminal Cases Review Commission
- 48 Scottish Enterprise
- 49 Scottish Environment Protection Agency
- 50 Scottish Fire and Rescue Service
- 50A The Scottish Food Commission
- 51 Scottish Further and Higher Education Funding Council
- 52 Scottish Information Commissioner
- 53 Scottish Land Court
- 54 Scottish Law Commission
- 55 Scottish Legal Aid Board
- 56 Scottish Legal Complaints Commission
- 57 Scottish Natural Heritage
- 58 Scottish Police Authority
- 59 Scottish Public Services Ombudsman
- 60 Scottish Qualifications Authority
- 61 Scottish Road Works Commissioner
- 62 Scottish Social Services Council
- 63 Scottish Sports Council
- 64 Social Care and Social Work Improvement Scotland
- 65 A Special Health Board (constituted under section 2(1)(b) of the...
- 66 Standards Commission for Scotland

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- 67 The Skills Development Scotland Co. Ltd (registered number SC202659)
- 68 VisitScotland
- 69 Water Industry Commission for Scotland

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**Changes and effects yet to be applied to :**

- s. 41 heading substituted by [S.S.I. 2019/112 reg. 2\(e\)\(i\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/112 revoked immediately before IP completion day by S.S.I. 2020/468, regs. 1(3), 2(2)(a))
- s. 8(4) substituted by [S.S.I. 2019/112 reg. 2\(a\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/112 revoked immediately before IP completion day by S.S.I. 2020/468, regs. 1(3), 2(2)(a))
- s. 8(5) words substituted by [S.S.I. 2019/112 reg. 2\(b\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/112 revoked immediately before IP completion day by S.S.I. 2020/468, regs. 1(3), 2(2)(a))
- s. 11(1) words substituted by [S.S.I. 2019/112 reg. 2\(b\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/112 revoked immediately before IP completion day by S.S.I. 2020/468, regs. 1(3), 2(2)(a))
- s. 27(1) words substituted by [S.S.I. 2019/112 reg. 2\(b\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/112 revoked immediately before IP completion day by S.S.I. 2020/468, regs. 1(3), 2(2)(a))
- s. 28(1) words substituted by [S.S.I. 2019/112 reg. 2\(b\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/112 revoked immediately before IP completion day by S.S.I. 2020/468, regs. 1(3), 2(2)(a))
- s. 30(1) words substituted by [S.S.I. 2019/112 reg. 2\(c\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/112 revoked immediately before IP completion day by S.S.I. 2020/468, regs. 1(3), 2(2)(a))
- s. 32(1) words substituted by [S.S.I. 2019/112 reg. 2\(b\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/112 revoked immediately before IP completion day by S.S.I. 2020/468, regs. 1(3), 2(2)(a))
- s. 33(1) words substituted by [S.S.I. 2019/112 reg. 2\(b\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/112 revoked immediately before IP completion day by S.S.I. 2020/468, regs. 1(3), 2(2)(a))
- s. 37(1) words substituted by [S.S.I. 2019/112 reg. 2\(b\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/112 revoked immediately before IP completion day by S.S.I. 2020/468, regs. 1(3), 2(2)(a))
- s. 37(3) substituted by [S.S.I. 2019/112 reg. 2\(d\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/112 revoked immediately before IP completion day by S.S.I. 2020/468, regs. 1(3), 2(2)(a))
- s. 41(1)(a) omitted by [S.S.I. 2019/112 reg. 2\(e\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/112 revoked immediately before IP completion day by S.S.I. 2020/468, regs. 1(3), 2(2)(a))
- s. 41(1)(c) words substituted by [S.S.I. 2019/112 reg. 2\(e\)\(iii\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/112 revoked immediately before IP completion day by S.S.I. 2020/468, regs. 1(3), 2(2)(a))
- s. 41(2)(a) omitted by [S.S.I. 2019/112 reg. 2\(e\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/112 revoked immediately before IP completion day by S.S.I. 2020/468, regs. 1(3), 2(2)(a))
- s. 42 words substituted by [S.S.I. 2019/112 reg. 2\(f\)\(i\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/112 revoked immediately before IP completion day by S.S.I. 2020/468, regs. 1(3), 2(2)(a))
- s. 42 words substituted by [S.S.I. 2019/112 reg. 2\(f\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/112 revoked immediately before IP completion day by S.S.I. 2020/468, regs. 1(3), 2(2)(a))

- s. 42(1) words inserted by [S.S.I. 2019/112 reg. 2\(f\)\(iii\)](#) (This amendment not applied to [legislation.gov.uk](#). S.S.I. 2019/112 revoked immediately before IP completion day by S.S.I. 2020/468, regs. 1(3), 2(2)(a))

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

- Act power to amend conferred by [2023 c. 54 s. 115\(3\)\(4\)](#)

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

- sch. para. 40A inserted by [2023 asp 6 sch. 2 para. 5\(2\)](#)