

These notes relate to the Procurement Reform (Scotland) Act 2014 (asp 12) which received Royal Assent on 17 June 2014

PROCUREMENT REFORM (SCOTLAND) ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1: Key Concepts and Application

Contracting authorities

Section 1 – Contracting authorities

6. [Section 1\(1\)](#) of the Act describes those bodies to whom the provisions of this Act will apply, by providing a definition of a “contracting authority”. This includes the bodies, office-holders and persons listed in the schedule and contracting authorities, as defined in the Public Contracts (Scotland) Regulations 2012, whose functions are exercisable in or as regards Scotland and do not relate to reserved matters. Broadly this includes all Scottish bodies that are subject to procurement obligations under the Regulations.
7. [Section 1\(2\)](#) gives power to the Scottish Ministers to modify the meaning of “contracting authority” by order, including the power to amend the definition and the list in the schedule. By virtue of section 44(2) such an order is subject to the affirmative procedure.