

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 4: Remedies

Section 37 – Actionable duties

76. [Section 37](#) applies only to regulated procurements which are not also EU-regulated procurements. This section describes the circumstance in which a “relevant person” can bring legal proceedings against a contracting authority which may not have complied or be complying with its duties under particular sections of this Act. In order to bring proceedings a relevant person must have sought to be awarded the contract and, as a result of the alleged breach, have suffered or is placed at risk of suffering loss or damage.