
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2020 No.

**EXITING THE EUROPEAN UNION
PUBLIC PROCUREMENT**

The Public Procurement etc. (EU Exit)
(Scotland) (Amendment) Regulations 2020

Made - - - - 2020

Coming into force in accordance with regulation 1

THE PUBLIC PROCUREMENT ETC. (EU EXIT)
(SCOTLAND) (AMENDMENT) REGULATIONS 2020

PART 1

GENERAL

1. Citation, commencement and extent
2. Transitional and savings provisions and revocation

PART 2

AMENDMENT OF PRIMARY LEGISLATION

3. The Procurement Reform (Scotland) Act 2014

PART 3

AMENDMENT OF SECONDARY LEGISLATION

CHAPTER 1

THE PUBLIC CONTRACTS (SCOTLAND) REGULATIONS 2015

4. Amendments commenced on IP completion day
5. Amendments commenced 12 months after IP completion day

CHAPTER 2

THE UTILITIES CONTRACTS (SCOTLAND) REGULATIONS 2016

6. Amendments commenced on IP completion day
7. Amendments commenced 12 months after IP completion day

CHAPTER 3

THE CONCESSION CONTRACTS (SCOTLAND) REGULATIONS 2016

8. Amendments commenced on IP completion day
9. Amendment commenced 12 months after IP completion day

CHAPTER 4

10. Amendment of the Procurement (Scotland) Regulations 2016

CHAPTER 5

AMENDMENT OF OTHER SUBORDINATE LEGISLATION

11. The Public Contracts (Scotland) Regulations 2012
12. The Utilities Contracts (Scotland) Regulations 2012

PART 4

AMENDMENT OF RETAINED DIRECT EU LEGISLATION

13. Commission Implementing Regulation (EU) 2016/7
Signature

SCHEDULE — TRANSITIONAL AND SAVINGS PROVISIONS

PART 1 — INTERPRETATION

1. Interpretation of Schedule
2. Meaning of “steady state amendments”
3. Saving for procedures launched, but not finalised, before IP completion day
4. Saving for call-off procedures under certain framework agreements
5. Transitional modification of the Procurement Regulations
6. Procurement involving contracting authorities or utilities from other member States
7. Saving of implied power to terminate contracts
8. Saving of regulation 55(5) of the Concession Contracts Regulations 2016
9. Saving in relation to voluntary ex ante transparency notices

PART 2 — PROVISIONS COMMENCED ON IP COMPLETION DAY

10. Saving in relation to procurements commenced before regulations 5, 7 and 9 come into force
11. For the purposes of this Part, a procurement has been...

12. For the purposes of this Part, a procurement covers the...
13. Accordingly, for example, if a contract notice in relation to...
14. Procedures taken for the purpose of modifying a contract or...
15. A procedure commenced as described in paragraph 11(a)(i), (b) or...

Explanatory Note