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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 1**

**The Public Contracts (Scotland) Regulations 2006**

**PART 3**

**PROCEDURES LEADING TO THE AWARD OF A PUBLIC CONTRACT**

**Selection of contract award procedures**

**12.**—(1) Subject to paragraph (2), for the purpose of seeking offers in relation to a proposed public contract, a contracting authority shall use—

- (a) the open procedure in accordance with regulation 15; or
- (b) the restricted procedure in accordance with regulation 16;

in all circumstances, except where it may use—

- (i) the negotiated procedure in accordance with regulation 17 in the circumstances referred to in regulations 13 and 14; or
- (ii) the competitive dialogue procedure in accordance with regulation 18.

(2) Paragraph (1) shall not apply in the case of a subsidised housing scheme works contract which is subject to regulation 35.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Public Contracts (Scotland) Regulations 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

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

- Part 9 (regs 47 - 47C) appl (mod) by [S.S.I. 2010/390 reg 6](#)

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

- Blanket amendment words substituted by [S.I. 2011/1043 art. 3-68-10](#)

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

- Regulations revoked by [S.S.I. 2012/88 reg. 5153Sch. 7 Pt. A](#)
- reg. 6(2)(n) inserted by [S.I. 2011/1848 Sch. 4 para. 2\(4\)](#)
- reg 47A - 47C added (with transtl provns) by [S.S.I. 2009/428 regs 23](#)