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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 1**

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

**PART 6**

**SPECIALISED CONTRACTS**

**Subsidised public works contracts and public services contracts**

**34.—(1)** Where—

- (a) a contracting authority undertakes to contribute more than half of the consideration to be or expected to be paid under a contract to which this paragraph applies by virtue of paragraph (2); and
- (b) the contract has been or is to be entered into by a person other than another contracting authority (in this regulation referred to as “the subsidised body”), that contracting authority shall—
  - (i) make it a condition of the making of such a contribution that the subsidised body complies with the provisions of these Regulations in relation to that contract as if it were a contracting authority; and
  - (ii) ensure that the subsidised body does so comply or recover the contribution.

(2) Paragraph (1) applies to a contract which, if the subsidised body were a contracting authority, would be

- (a) a public works contract to which these Regulations apply by virtue of regulation 8 and which is for the carrying out of—
  - (i) any of the civil engineering activities specified in Schedule 2; or
  - (ii) building work for hospitals, facilities intended for sports, recreation and leisure, school and university buildings or buildings for administrative purposes; or
- (b) a public services contract to which these Regulations apply by virtue of regulation 8 for providing services in connection with a contract referred to in sub paragraph (a) of this paragraph.