

SCHEDULE 6

CONSEQUENTIAL AND MISCELLANEOUS AMENDMENTS

PART 1

MODIFICATIONS TO PRIMARY LEGISLATION

Late Payment of Commercial Debts (Interest) Act 1998

1.—(1) The Late Payment of Commercial Debts (Interest) Act 1998 ^{M1} is amended as follows.

(2) In section 4(8) ^{M2} (period for which statutory interest runs), in the definition of “public authority” for “regulation 3 of the Public Contracts (Scotland) Regulations 2012” substitute “regulation 2(1) of the Public Contracts (Scotland) Regulations 2015”.

Marginal Citations

M1 1998 c.20.

M2 Section 4 relevantly amended by S.S.I. 2013/77, regulation 2(6).

Procurement Reform (Scotland) Act 2014

2.—(1) The Procurement Reform (Scotland) Act 2014 ^{M3} is amended as follows.

(2) In section 4(1), for “mentioned in paragraph (1) or (2) of regulation 6 of the Public Contract Regulations” substitute “to which Public Contracts Regulations do not apply by virtue of regulation 4 or 7 to 18 of those regulations”.

(3) In section 11(3) for “supported employment programme or supported factory within the meaning regulation 7” substitute “or supported employment programme within the meaning of regulation 21”.

(4) In section 41(1) (the Directive, Public Contracts Regulations and EU regulated procurements)

(a) In paragraph (a), for “Directive 2004/18/EC” substitute “Directive 2014/24/EU”;

(b) In paragraph (b) for “Public Contracts (Scotland) Regulations 2012 (S.S.I. 2012/88)” substitute “Public Contracts (Scotland) Regulations 2015 (S.S.I. 2015/XX);

(c) in paragraph (c) omit “by virtue of regulation 5(1)”.

Marginal Citations

M3 2014 asp. 12.

Small Business, Enterprise and Employment Act 2015

3.—(1) The Small Business, Enterprise and Employment Act 2015 ^{M4} is amended as follows.

(2) In section 40(5)(investigation of procurement functions) in the definition of “a relevant function relating to procurement”, in paragraph (c)—

(a) for “Public Contracts (Scotland) Regulations 2012 (S.I. 2012/88)” substitute “Public Contracts (Scotland) Regulations 2015”; and

Changes to legislation: The Public Contracts (Scotland) Regulations 2015, PART 1 is up to date with all changes known to be in force on or before 08 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

(b) for “regulation 8” substitute “ regulation 5 ”.

Marginal Citations

M4 [2015 c.26](#).

Changes to legislation:

The Public Contracts (Scotland) Regulations 2015, PART 1 is up to date with all changes known to be in force on or before 08 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Regulations applied by [2023 c. 54 s. 119\(2\)\(a\)](#)

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

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

- reg. 11(1)(e)(i)(aa) words substituted by [S.S.I. 2019/112 reg. 3\(11\)\(a\)\(i\)](#) (This amendment not applied to [legislation.gov.uk](#). S.S.I. 2019/112 revoked immediately before IP completion day by S.S.I. 2020/468, regs. 1(3), 2(2)(a))
- reg. 11(1)(e)(i)(bb) words substituted by [S.S.I. 2019/112 reg. 3\(11\)\(a\)\(ii\)](#) (This amendment not applied to [legislation.gov.uk](#). S.S.I. 2019/112 revoked immediately before IP completion day by S.S.I. 2020/468, regs. 1(3), 2(2)(a))
- reg. 78(1)(i)(ii) and words inserted by [S.S.I. 2019/112 reg. 3\(52\)\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). S.S.I. 2019/112 revoked immediately before IP completion day by S.S.I. 2020/468, regs. 1(3), 2(2)(a))