

SCHEDULE 3

Regulation 110(2)

CONSEQUENTIAL AND MISCELLANEOUS  
AMENDMENTS TO SUBORDINATE LEGISLATION

**Cleaner Road Transport Vehicles (Scotland) Regulations 2010**

1.—(1) The Cleaner Road Transport Vehicles (Scotland) Regulations 2010(1) are amended as follows.

(2) In regulation 2(2) (interpretation) in the definition of—

“contracting entity” for “regulation 3 of the Utilities Contracts (Scotland) Regulations 2012” substitute “regulation 4 of the Utilities Contracts (Scotland) Regulations 2016”; and

“operator” for “regulation 11 of the Utilities Contracts (Scotland) Regulations 2012” substitute “regulation 15 of the Utilities Contracts (Scotland) Regulations 2016”.

(3) In regulation 6(1)(b)(3) (enforcement of duties) for “Part 9 of the Utilities Contracts (Scotland) Regulations 2012” substitute “Chapter 2 of Part 5 of the Utilities Contracts (Scotland) Regulations 2016”.

**Defence and Security Public Contracts Regulations 2011**

2.—(1) The Defence and Security Regulations are amended as follows.

(2) In regulation 4(d)(4) (contracting authorities) for “regulation 3 of the Utilities Contracts (Scotland) Regulations 2012” substitute “regulation 4 of the Utilities Contracts (Scotland) Regulations 2016”.

(3) In regulation 6(5) (application) for “the Utilities Contracts (Scotland) Regulations 2012”, in each place it occurs, substitute “the Utilities Contracts (Scotland) Regulations 2016”.

**Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013**

3.—(1) The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013(6) is amended as follows.

(2) In paragraph 10 (public procurement) of Schedule 3 (exclusions of section 4(2)(a) and (b) of the Act)—

(a) in sub-paragraph (1)(a) for “regulation 26 of the Utilities Contracts (Scotland) Regulations 2012” substitute “regulation 78 of the Utilities Contracts (Scotland) Regulations 2016”;

(b) in sub-paragraph (1)(b) for “regulation 34 of the Utilities Contracts (Scotland) Regulations 2012” substitute “Chapter 2 of Part 3 of the Utilities Contracts (Scotland) Regulations 2016”;

(c) for sub-paragraph (2) substitute—

“(2) For the purposes of contract award procedures or design contests commenced before 18th April 2016 and on or after 1st May 2012, the references in sub-paragraph (1)—

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(1) S.S.I. 2010/390.

(2) Regulation 2 amended by S.S.I. 2012/88, schedule 7(B), paragraph 1 and S.S.I. 2012/89, schedule 5(B), paragraph 1.

(3) Regulation 6(1)(b) amended by S.S.I. 2012/89, schedule 5(B), paragraph 1.

(4) Regulation 4(d) amended by S.S.I. 2012/89, schedule 5(B), paragraph 1.

(5) Regulation 6 amended by S.S.I. 2012/88, schedule 7(B), paragraph 1; S.S.I. 2012/89, schedule 5(B), paragraph 1; and S.I. 2015/102, schedule 6(2), paragraph 19(5).

(6) S.S.I. 2013/50.

*Status: This is the original version (as it was originally made).*

- (a) to regulations 58 and 79 of the Public Contracts (Scotland) Regulations 2015 are to be read as references to regulations 23 and 33 of the Public Contracts (Scotland) Regulations 2012(7); and
  - (b) to regulation 78 and Chapter 2 of Part 3 of the Utilities Contracts (Scotland) Regulations 2016 are to be read as references to regulations 26 and 34 of the Utilities Contracts (Scotland) Regulations 2012(8)
- (d) at the end of sub-paragraph (3) insert—
- “(d) regulation 111(2) of the Utilities Contracts (Scotland) Regulations 2016.”.

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(7) [S.S.I. 2012/88](#), repealed by regulation 97 of the Public Contracts (Scotland) Regulations 2015, [S.S.I. 2015/446](#), subject to the savings and transitional provisions in regulation 98 of those Regulations.

(8) [S.S.I. 2012/89](#), repealed by regulation 110 of these Regulations subject to the savings and transitional provisions in regulation 111 of these Regulations.