
DRAFT STATUTORY INSTRUMENTS

2020 No.

**The Defence and Security Public Contracts
(Amendment) (EU Exit) Regulations 2020**

Pre-exit amendments of the Defence and Security Public Contracts Regulations 2011

- 2.—(1) The Defence and Security Public Contracts Regulations 2011⁽¹⁾ are amended as follows.
- (2) In regulation 3 (interpretation), in paragraph (1), in the definition of “military equipment”, for “26 February 2018 as amended from time to time” substitute “17 February 2020⁽²⁾”.
- (3) In regulation 12 (technical specifications in the contract documents)—
- (a) in paragraph (1), for the definition of “European technical approval” substitute the following—
- ““European Technical Assessment” means the documented assessment of the performance of a construction product, in relation to its essential characteristics, in accordance with the relevant European Assessment Document as defined in point 12 of Article 2 of Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council [Directive 89/106/EEC](#)⁽³⁾”;
- (b) in paragraph (5)(b), for “European technical approvals” substitute “European Technical Assessments”;
- (c) in paragraph (10)(b), for “European technical approval” substitute “European Technical Assessment”.
- (4) In regulation 23 (criteria for the rejection of economic operators), in paragraph (4), subparagraph (k), for “(12) and (13)” substitute “(12), (13) and (14)”.

(1) [S.I. 2011/1848](#), amended by [S.I. 2015/102](#), [2016/275](#), [2019/697](#) and by [S.S.I. 2015/446](#) and [2016/49](#); there are other amending instruments, but none are relevant.

(2) [OJ C 85](#), 13.3.2020, p.1-37.

(3) [OJ No L 88](#), 4.4.2011, p.5-43, last amended by Commission Delegated Regulation (EU) No 574/2014 ([OJ No L 159](#), 28.5.2014, p.41).