
DRAFT STATUTORY INSTRUMENTS

2024 No.

The Procurement Regulations 2024

Part 2

Transparency of procurements under the Procurement Act 2023

Payments compliance notices

38.—(1) [This regulation](#) sets out what information must be included in a payments compliance notice published under section 69(1) of the PA 2023.

(2) The information is—

- (a) the contracting authority information,
- (b) the dates of the first and the last days of the reporting period to which the payments compliance notice relates,
- (c) in respect of sums paid by the contracting authority under public contracts during the reporting period—
 - (i) the average number of days taken to make those payments, where day 1 is the first day after the invoice day;
 - (ii) the percentage of those payments which were made, where day 1 is the first day after the invoice day—
 - (aa) within the period beginning on day 1 and ending with day 30;
 - (bb) within the period beginning on day 31 and ending with day 60;
 - (cc) on or after day 61,
- (d) in respect of sums which became payable under public contracts during the reporting period, the percentage of those payments which were not made within the reporting period, and
- (e) a statement of the director or similar officer of the contracting authority who is responsible for the contracting authority's finances setting out that they approve the payments compliance notice and that person's name and job title.

(3) In [paragraph \(2\)](#)—

“average” means the arithmetic mean;

“invoice day” means the day on which a contracting authority receives an invoice.

(4) For the purposes of [paragraph \(2\)](#), a payment is made—

- (a) when it is received by the supplier;
- (b) if there is any delay in the sum being received for which the contracting authority is not responsible, when it would have been received without that delay.

(5) In [paragraph \(3\)](#) the reference to a contracting authority receiving an invoice is to the invoice being delivered to an address, or through an electronic invoicing system, as specified in the contract in question for that purpose.

(6) Nothing in [this regulation](#) prevents a contracting authority from publishing other relevant information in the notice.