



Procurement Act 2023

2023 CHAPTER 54

PART 10

PROCUREMENT OVERSIGHT

PROSPECTIVE

108 Procurement investigations

- (1) An appropriate authority may investigate a relevant contracting authority's compliance with requirements of this Act.
- (2) An appropriate authority conducting a procurement investigation may by notice require a relevant contracting authority—
 - (a) to provide such relevant documents as the appropriate authority may reasonably require for the purposes of the procurement investigation, in the form or manner specified in the notice;
 - (b) to give such other assistance in connection with the procurement investigation as is reasonable in the circumstances and is specified in the notice.
- (3) The relevant contracting authority must comply with a notice under subsection (2) before the end of—
 - (a) the period specified in the notice (which must be at least 30 days beginning with the day on which the notice is given), or
 - (b) such longer period as the appropriate authority may agree to.
- (4) The appropriate authority may publish the results of a procurement investigation, including any section 109 recommendation issued.
- (5) In this section—
 - “procurement investigation” means an investigation under subsection (1);
 - “relevant contracting authority” means a contracting authority other than—
 - (a) a Minister of the Crown or a government department;

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Procurement Act 2023, Section 108. (See end of Document for details)

- (b) the Welsh Ministers;
 - (c) a Northern Ireland department;
 - (d) the Corporate Officer of the House of Commons;
 - (e) the Corporate Officer of the House of Lords;
 - (f) the Senedd Commission;
 - (g) the Northern Ireland Assembly Commission;
 - (h) a private utility;
- “relevant documents” means documents or other information that—
- (a) are specified or described in a notice under subsection (2), and
 - (b) are in the possession or control of the relevant contracting authority to which the notice is given;
- “section 109 recommendation” has the meaning given in section 109.

Commencement Information

- II** S. 108 not in force at Royal Assent, see [s. 127\(2\)](#)

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Procurement Act 2023, Section 108.