
STATUTORY INSTRUMENTS

2011 No. 1848

The Defence and Security Public Contracts Regulations 2011

PART 4

SELECTION OF ECONOMIC OPERATORS

Official lists of approved economic operators

27.—(1) This regulation applies where an economic operator is registered in accordance with paragraph (2) or certified in accordance with paragraph (3).

(2) An economic operator is registered in accordance with this paragraph where it is registered on the official list of approved contractors, services providers or suppliers in a member State which maintains such lists and in which the economic operator is established.

(3) An economic operator is certified in accordance with this paragraph where it is certified by a certification body complying with European certification standards in a member State which maintains such certification and in which the economic operator is established.

(4) Where an economic operator which is registered or certified submits to the contracting authority—

(a) a certificate of registration issued by the authority administering the official list referred to in paragraph (2), or

(b) a certificate issued by the body administering the certification referred to in paragraph (3), which specifies the information submitted to that authority or body which enabled the economic operator to be registered or certified and which states the classification given, the contracting authority shall accept the certificate as evidence of the matters referred to in paragraph (5).

(5) Subject to paragraph (6), where the certificate referred to in paragraph (4) deals with the grounds referred to in regulations 23(1), (4)(a) to (e), (i), and (k), 24(6)(b) and (c) and—

(a) in the case of a contractor, regulation 25(2)(b), (d), (e), (f), (g), (h) and (i),

(b) in the case of a services provider, regulation 25(2)(c), (d), (e), (f), (g) and (i), or

(c) in the case of a supplier, regulation 25(2)(c), (d), (e), (f), (g), (k) and (l),

the contracting authority shall—

(i) accept the certificate that the economic operator does not fall within the grounds specified in regulation 23(1), (4)(a) to (e), (i) and (k) and shall not be entitled to require the economic operator to submit such information relating to those grounds as is specified in regulation 23;

(ii) not be entitled to require the economic operator to provide information specified in regulation 24(6)(b) and (c) and—

(aa) in the case of a contractor, regulation 25(2)(b), (d), (e), (f), (g), (h) and (i);

(bb) in the case of a services provider, regulation 25(2)(c), (d), (e), (f), (g) and (i); and

(cc) in the case of a supplier, regulation 25(2)(c), (d), (e), (f), (g), (k) and (l); and

Status: Point in time view as at 21/08/2011. This version of this provision has been superseded.

Changes to legislation: The Defence and Security Public Contracts Regulations 2011, Section 27 is up to date with all changes known to be in force on or before 22 June 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)

(iii) not be entitled to seek any supplementary information in accordance with regulation 26 in relation to the matters specified in sub-paragraph (c)(i) and (ii).

(6) A contracting authority is not required to comply with paragraph (5) where it considers that it has justification for not doing so.

Status:

Point in time view as at 21/08/2011. This version of this provision has been superseded.

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