

---

## STATUTORY INSTRUMENTS

---

# 2016 No. 274

## The Utilities Contracts Regulations 2016

### PART 5

#### REMEDIES

##### CHAPTER 2

##### APPLICATIONS TO THE COURT

#### Interim orders

- 111.**—(1) In proceedings, the Court may, where relevant, make an interim order—
- (a) bringing to an end the requirement imposed by regulation 110(1);
  - (b) restoring or modifying that requirement;
  - (c) suspending the procedure leading to—
    - (i) the award of the contract; or
    - (ii) the determination of the design contest,in relation to which the breach of the duty owed in accordance with regulation 104 or 105 is alleged;
  - (d) suspending the implementation of any decision or action taken by the utility in the course of following such a procedure.
- (2) When deciding whether to make an order under paragraph (1)(a)—
- (a) the Court must consider whether, if regulation 110(1) were not applicable, it would be appropriate to make an interim order requiring the utility to refrain from entering into the contract; and
  - (b) only if the Court considers that it would not be appropriate to make such an interim order may it make an order under paragraph (1)(a).
- (3) If the Court considers that it would not be appropriate to make an interim order of the kind mentioned in paragraph (2)(a) in the absence of undertakings or conditions, it may require or impose such undertakings or conditions in relation to the requirement in regulation 110(1).
- (4) The Court may not make an order under paragraph (1)(a) or (b) or (3) before the end of the standstill period.
- (5) This regulation does not prejudice any other powers of the Court.

**Status:**

Point in time view as at 18/04/2016.

**Changes to legislation:**

The Utilities Contracts Regulations 2016, Section 111 is up to date with all changes known to be in force on or before 05 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.