

SCHEDULE 2

Amendments to statutory instruments

PART 1

The Public Contracts Regulations 2015

23.—(1) Regulation 118 (general transitional provision and saving where procurement procedure commenced before 26th February 2015) is amended as follows.

(2) For paragraph (5) substitute—

“(5) Paragraphs (5A) to (5D) apply in the case of a contract awarded—

- (a) before 26th February 2015; or
- (b) after that date but where the award itself was not, by virtue of paragraphs (1) to (4), affected by these Regulations.

(5A) Except in the case of a contract referred to in paragraph (5B) to the extent referred to in paragraph (5C), nothing in these Regulations affects a contract to which paragraph (5) applies.

(5B) This paragraph refers to a contract which was awarded under the 2006 Regulations (other than a public works concession contract).

(5C) A contract referred to in paragraph (5B) is subject to regulations 72 and 73(3) and Chapter 6 of Part 3 (so far as that Chapter applies to regulations 72 and 73(3)).

(5D) For the purposes of paragraph (5C), any reference in regulation 72 or 73(3) or Chapter 6 of Part 3 to a contract or to a public contract includes a contract to which paragraph (5B) applies.”.

(3) In paragraph (6) for “and “public contract”” substitute “, “public contract” and “public works concession contract””.