

2023 No. 1169

PUBLIC PROCUREMENT

**The Public Procurement (Agreement on Government Procurement)
(Amendment) Regulations 2023**

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| <i>Made</i> - - - - | <i>1st November 2023</i> |
| <i>Laid before Parliament</i> | <i>7th November 2023</i> |
| <i>Coming into force</i> - - | <i>28th November 2023</i> |

The Minister for the Cabinet Office makes these Regulations in exercise of the powers conferred by section 1(1)(b)(i) of the Trade Act 2021(a).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Public Procurement (Agreement on Government Procurement) (Amendment) Regulations 2023 and come into force on 28th November 2023.

(2) The amendments made by these Regulations have the same extent as the provisions to which they relate.

Amendments to the Public Contracts Regulations 2015

2.—(1) The Public Contracts Regulations 2015(b) are amended as follows.

(2) In regulation 2(1) (definitions) in the definition of “GPA”, for “16th May 2021” substitute “30th October 2023”.

(3) In Schedule 1A (parties to the GPA), after “New Zealand”, on a new line, insert “North Macedonia, Republic of”.

Amendments to the Concession Contracts Regulations 2016

3.—(1) The Concession Contracts Regulations 2016(c) are amended as follows.

(2) In regulation 2(1) (interpretation) in the definition of “GPA”, for “16th May 2021” substitute “30th October 2023”.

(3) In Schedule 1A (parties to the GPA), after “New Zealand”, on a new line, insert “North Macedonia, Republic of”.

(a) 2021 c. 10. See the definition of appropriate authority in section 5(1).

(b) S.I. 2015/102, as amended by S.I. 2021/573 and S.I. 2021/872; there are other amending instruments but none is relevant.

(c) S.I. 2016/273, as amended by S.I. 2020/1319, S.I. 2021/573 and S.I. 2021/872; there are other amending instruments but none is relevant.

Amendments to the Utilities Contracts Regulations 2016

4.—(1) The Utilities Contracts Regulations 2016(a) are amended as follows.

(2) In regulation 2(1) (definitions) in the definition of “GPA”, for “16th May 2021” substitute “30th October 2023”.

(3) In Schedule A1 (parties to the GPA), after “New Zealand”, on a new line, insert “North Macedonia, Republic of”.

1st November 2023

Alex Burghart
Parliamentary Secretary
Cabinet Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to the Public Contracts Regulations 2015, the Concession Contracts Regulations 2016 and the Utilities Contracts Regulations 2016 as a consequence of the Republic of North Macedonia acceding to the Agreement on Government Procurement (“the GPA”) by the deposit of their instrument of accession on 30th September 2023. The GPA enters into force for the Republic of North Macedonia on 30th October 2023, being the 30th day following deposit of its instrument of accession.

The amendments made by these Regulations update the effective date of the GPA to take account of the Republic of North Macedonia’s accession and also adds the Republic of North Macedonia to the list of GPA parties in the relevant Schedules to the three sets of Regulations being amended.

Transitional provisions are not required as regulation 90A of the Public Contracts Regulations 2015, regulation 51A of the Concession Contracts Regulations 2016 and regulation 105A of the Utilities Contracts Regulations 2016 sets out the relevant time the duty to comply with these amendments, as they form part of the Regulations being amended, takes effect in respect of economic operators from the Republic of North Macedonia, as a GPA party.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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(a) S.I. 2016/274, as amended by S.I. 2021/573 and S.I. 2021/872; there are other amending instruments but none is relevant.

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