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SCOTTISH STATUTORY INSTRUMENTS

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**2015 No. 446**

**The Public Contracts (Scotland) Regulations 2015**

**PART 2**

**RULES IMPLEMENTING THE PUBLIC CONTRACTS DIRECTIVE**

**CHAPTER 3**

**PARTICULAR PROCUREMENT REGIMES**

*SECTION 8*

*Rules Governing Design Contests*

**Notices**

**78.**—(1) A contracting authority that intends to carry out a design contest must make known its intention by means of a contest notice which includes the information set out in Part E of Annex V to the Directive.

(2) Where a contracting authority intends to award a subsequent service contract under regulation 33(6) (use of the negotiated procedure without prior publication), this must be indicated in the contest notice.

(3) The contracting authority must send the contest notice for publication in accordance with regulation 52 (form and manner of sending notices for publication at EU level).

(4) A contracting authority that has held a design contest must—

- (a) send a notice of the results of the contest for publication in accordance with regulation 52 (form and manner of sending notices for publication at EU level); and
- (b) be able to prove the date of dispatch of such notice.

(5) The notice of the results of the contest must include the information set out in Part F of Annex V to the Directive.

(6) A contracting authority may withhold from publication information on the result of the contest where the release of the information—

- (a) would impede law enforcement or otherwise be contrary to the public interest;
- (b) would prejudice the commercial interests of any person; or
- (c) might prejudice fair competition between economic operators.

**Status:**

Point in time view as at 18/04/2016. This version of this provision has been superseded.

**Changes to legislation:**

The Public Contracts (Scotland) Regulations 2015, Section 78 is up to date with all changes known to be in force on or before 12 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.