

SCHEDULE 1

Regulation 2(1)

CENTRAL GOVERNMENT AUTHORITIES

This Schedule transposes Annex I to the Directive by listing relevant domestic central government authorities for the purposes of the definition of “central government authorities” in regulation 2(1).

Where an entity listed in this Schedule is succeeded by another entity, which is itself a contracting authority, the successor entity shall be deemed to be included in this Schedule.

Cabinet Office

Office of the Parliamentary Counsel

Crown Commercial Service

Charity Commission

Crown Estate Commissioners (Vote Expenditure Only)

Crown Prosecution Service

Department for Business, Innovation and Skills

Competition and Markets Authority

Higher Education Funding Council for England

Intellectual Property Office

Met Office

National Measurement Office

Office of Manpower Economics

Department of Communities and Local Government

Rent Assessment Panels

Department for Culture, Media and Sport

British Library

British Museum

Commission for Architecture and the Built Environment

The Gambling Commission

Historic Buildings and Monuments Commission for England (English Heritage)

Imperial War Museum

Museums, Libraries and Archives Council

National Gallery

National Maritime Museum

National Portrait Gallery

Natural History Museum

Science Museum

Tate Gallery

Victoria and Albert Museum

Wallace Collection

Department for Education

Status: Point in time view as at 31/12/2020.

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Department for Energy and Climate Change

Department for Environment, Food and Rural Affairs

Agricultural Dwelling House Advisory Committees

Agricultural Land Tribunals

Cattle Breeding Centre

Countryside Agency

Plant Variety Rights Office

Royal Botanic Gardens, Kew

Royal Commission on Environmental Pollution

Department of Health

NHS Business Services Authority

NHS Trusts

Department for International Development

Department of the Procurator General and Treasury Solicitor

Legal Secretariat to the Law Officers

Department for Transport

Maritime and Coastguard Agency

Department for Work and Pensions

Health and Safety Executive

Independent Tribunal Service

Industrial Injuries Advisory Council

Medical Boards and Examining Medical Officers (War Pensions)

Occupational Pensions Regulatory Authority

Pensions Ombudsman

Pensions Protection Fund Ombudsman

Regional Medical Service

Social Security Advisory Committee

Foreign and Commonwealth Office

Wilton Park Conference Centre

Government Actuary's Department

GCHQ

Home Office

HM Inspectorate of Constabulary

House of Commons

House of Lords

Ministry of Defence

Defence Equipment & Support

Defence Infrastructure Organisation

Defence Science and Technology Laboratories

Ministry of Justice

Boundary Commission for England

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Combined Tax Tribunal
Council on Tribunals
Court of Appeal — Criminal
Employment Appeals Tribunal
Employment Tribunals
HMCS Regions, Crown, County and Combined Courts (England and Wales)
Immigration Appellate Authorities
Immigration Adjudicators
Immigration Appeals Tribunal
Lands Tribunal
Law Commission
Legal Aid Agency (England and Wales)
Office of the Social Security Commissioners
Parole Board and Local Review Committees
Pensions Appeal Tribunals
Public Trust Office
Supreme Court Group (England and Wales)
Transport Tribunal
The National Archives
National Audit Office
National Savings and Investments
Public Prosecution Service for Northern Ireland
Office of Fair Trading
Office for National Statistics
National Health Service Central Register
Parliamentary and Health Service Ombudsman
Paymaster General's Office
Privy Council Office
HM Revenue and Customs
Royal Hospital, Chelsea
Royal Mint
Rural Payments Agency
HM Treasury
United Kingdom Debt Management Office
Northern Ireland, Department of Agriculture and Rural Development
 Agri-Food and Biosciences Institute
 Livestock and Meat Commission for Northern Ireland
 Northern Ireland Fishery Harbour Authority
Northern Ireland, Department of Culture, Arts and Leisure
Armagh Observatory

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Armagh Planetarium
Arts Council of Northern Ireland
Northern Ireland Library Authority
Northern Ireland Screen
Northern Ireland Museums Council
National Museums Northern Ireland
Sport NI

Northern Ireland, Department of Education
Council for Catholic Maintained Schools
Comhairle na Gaelscolaíochta
Council for the Curriculum, Examinations and Assessment
Education and Library Boards
Exceptional Circumstances Body
General Teaching Council for Northern Ireland
Middletown Centre for Autism
Northern Ireland Council for Integrated Education
Staff Commission for Education and Library Boards
Youth Council for Northern Ireland

Northern Ireland, Department for Employment and Learning
Belfast Metropolitan College
Construction Industry Training Board – ConstructionSkills NI
Labour Relations Agency
Northern Regional College
North West Regional College
South Eastern Regional College
Southern Regional College
South West College
Stranmillis University College
Ulster Supported Employment Limited

Northern Ireland, Department of Enterprise, Trade and Investment
Consumer Council for Northern Ireland
Health and Safety Executive for Northern Ireland
Invest Northern Ireland
Northern Ireland Tourist Board

Northern Ireland, Department of the Environment
Northern Ireland Local Government Officers' Superannuation Committee
Local Government Staff Commission
Northern Ireland Environment Agency

Northern Ireland, Department of Finance and Personnel

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Northern Ireland Building Regulations Advisory Committee
Statistics Advisory Committee
Public service Commission for Northern Ireland
Lay Observer for Northern Ireland
Northern Ireland, Department of Health, Social Services and Public Safety
Belfast Health and Social Care Trust
Regional Business Services Organisation
Regional Health and Social Care Board
Northern Health and Social Care Trust
Northern Ireland Ambulance Service Trust
Northern Ireland Blood Transfusion Service
Northern Ireland Fire and Rescue Service
Northern Ireland Guardian Ad Litem Agency
Northern Ireland Medical and Dental Training Agency
Northern Ireland Practice and Education Council for Nursing and Midwifery
Northern Ireland Social Care Council
Patient and Client Council
Regional Agency for Public Health and Social Well Being
Health and Social care Regulation and Quality Improvement Authority
South Eastern Health and Social Care Trust
Southern Health and Social Care Trust
Western Health and Social Care Trust
Northern Ireland, Department of Justice
Chief Inspector of Criminal Justice
Northern Ireland Law Commission
Northern Ireland Legal Services Commission
Northern Ireland Policing Board
Northern Ireland Policing Fund
Northern Ireland Prisoner Ombudsman
Probation Board for Northern Ireland
Police Ombudsman Northern Ireland
Police Retraining and Rehabilitation Trust
Police Service of Northern Ireland
RUC George Cross Foundation
Northern Ireland, Department for Regional Development
Northern Ireland, Department for Social Development
Northern Ireland Housing Executive
The Charity Commission for Northern Ireland
Northern Ireland, Office of the First Minister and Deputy First Minister

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Attorney General for Northern Ireland
Commissioner for Children and Young People for Northern Ireland
Commissioner for Older People for Northern Ireland
Commissioner for Public Appointments for Northern Ireland
Commissioner for Victims and Survivors
Community Relations Council
Equality Commission for Northern Ireland
ILEX Urban Regeneration Company Limited
Maze Long Kesh Development Corporation
Northern Ireland Judicial Appointments Commission
Strategic Investment Board
Planning and Water Appeals Commission
Victims and Survivors Service Ltd
Scotland, Auditor-General
Scotland, Crown Office and Procurator Fiscal Service
Scotland, Queen's and Lord Treasurer's Remembrancer
Scotland, Registers of Scotland
The Scotland Office
The Scottish Ministers
 Architecture and Design Scotland
 Common Services Agency for the Scottish Health Service
 Court of Session
 Crofting Commission
 Food Standards Scotland
 Health Boards
 Health Improvement Scotland
 Health and Social Care Partnerships
 High Court of Judiciary
 Historic Environment Scotland
 HM Inspectorate of Constabulary
 Integration Joint Boards
 Keeper of the Records of Scotland
 Keeper of the Registers of Scotland
 Lands Tribunal for Scotland
 National Galleries of Scotland
 National Library of Scotland
 National Museums of Scotland
 National Records of Scotland
 Parole Board for Scotland

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Pensions Appeal Tribunals
Revenue Scotland
Royal Botanic Garden, Edinburgh
Scottish Courts and Tribunal Service
Scottish Fire and Rescue Service
Scottish Further and Higher Education Funding Council
Scottish Land Court
Scottish Law Commission
Scottish Natural Heritage
Sheriff Courts
Scottish Police Authority
Special Health Boards
The Office of the Accountant of Court
F1...Private Rented Housing Committees
The Scottish Parliamentary Body Corporate
UK Export Finance
The Wales Assembly Parliamentary Service
Welsh Language Commissioner
The Wales Office (Office of the Secretary of State for Wales)
The Welsh Ministers
Arts Council of Wales
Care Council for Wales
Higher Education Funding Council Wales
Local Democracy and Boundary Commission for Wales
National Museum Wales
National Library of Wales
Natural Resources Wales
Rent Assessment Committees
Royal Commission on the Ancient and Historical Monuments of Wales
Sport Wales
Welsh NHS Bodies

Textual Amendments

- F1** Words in [sch. 1](#) omitted (1.12.2016) by virtue of [The First-tier Tribunal for Scotland \(Transfer of Functions of the Private Rented Housing Panel\) Regulations 2016 \(S.S.I. 2016/338\)](#), reg. 1(2), [sch. 3 para. 3](#) (with [sch. 1 para. 5](#))

Status: Point in time view as at 31/12/2020.

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Textual Amendments

F1 Words in sch. 1 omitted (1.12.2016) by virtue of [The First-tier Tribunal for Scotland \(Transfer of Functions of the Private Rented Housing Panel\) Regulations 2016 \(S.S.I. 2016/338\)](#), reg. 1(2), **sch. 3 para. 3** (with sch. 1 para. 5)

SCHEDULE 2

Regulations 2(1) and 14(1)(a)(i)

ACTIVITIES CONSTITUTING WORKS

In this Schedule, ‘NACE Rev.1’ has the same meaning as in Council Regulation (EEC) No 3037/90 on the statistical classification of economic activities in the European Community ^{M1}[^{F2}as that Regulation had effect in EU law immediately before IP completion day], and numerical references in the columns relating to the NACE Rev.1 relate to the Annex to that Regulation. In the event of any difference of interpretation between the CPV and the NACE Rev.1, the CPV nomenclature shall apply.

<i>NACE Rev. 1</i>					<i>CPV Code</i>
SECTION F		CONSTRUCTION			
Division	Group	Class	Subject	Notes	
45			Construction	This division includes: —construction of new buildings and works, restoring and common repairs.	45000000
	45.1		Site preparation		45100000
		45.11	Demolition and wrecking of buildings; earth moving	This class includes: —demolition of buildings and other structures, —clearing of building sites, —earth moving: excavation, landfill, levelling and grading of construction sites, trench digging, rock removal, blasting, etc. —site preparation for mining, —overburden removal and other development and preparation of mineral properties and sites.	45110000
				This class also includes:	

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		—building site drainage.	
		—drainage of agricultural or forestry land.	
45.12	Test drilling and boring	This class includes: —test drilling, test boring and core sampling for construction, geophysical, geological or similar purposes. This class excludes: —drilling of production oil or gas wells, see 11.20. —water well drilling, see 45.25, —shaft sinking, see 45.25, —oil and gas field exploration, geophysical, geological and seismic surveying, see 74.20.	45120000
45.2	Building of complete constructions or parts thereof; civil engineering		45200000
45.21	General construction of buildings and civil engineering works	This class includes: —construction of all types of buildings construction of civil engineering constructions, —bridges, including those for elevated highways, viaducts, tunnels and subways, —long-distance pipelines, communication and power lines, —urban pipelines, urban communication and power lines, —ancillary urban works,	45210000 Except: —45213316 45220000 45231000 45232000

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—assembly and erection of prefabricated constructions on the site.

This class excludes:

- service activities incidental to oil and gas extraction, see 11.20,
- erection of complete prefabricated constructions from self-manufactured parts not of concrete, see divisions 20, 26 and 28,
- construction work, other than buildings, for stadiums, swimming pools, gymnasiums, tennis courts, golf courses and other sports installations, see 45.23,
- building installation, see 45.3,
- building completion, see 45.4,
- architectural and engineering activities, see 74.20,
- project management for construction, see 74.20.

45.22	Erection of roof covering and frames	This class includes: —erection of roofs, —roof covering, —waterproofing.	45261000	
45.23	Construction of highways, roads, airfields and sport facilities	This class includes: —construction of highways, streets, roads, other vehicular and pedestrian ways, —construction of railways, —construction of airfield runways, —construction work, other than buildings, for stadiums, swimming pools, gymnasiums, tennis courts, golf courses and other sports installations,	45212212 and DA03 45230000 except: —45231000 —45232000 —45234115	

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		—painting of markings on road surfaces and car parks.	
		This class excludes: —preliminary earth moving, see 45.11.	
45.24	Construction of water projects	This class includes: —construction of: —waterways, harbour and river works, pleasure ports (marinas), locks etc.; —dams and dykes, —dredging, —subsurface work.	45240000
45.25	Other construction work involving special trades	This class includes: —construction activities specialising in one aspect common to different kinds of structures, requiring specialised skill or equipment, —construction of foundations, including pile driving, —water well drilling and construction, shaft sinking, —erection of non-self-manufactured steel elements, —steel bending, —bricklaying and stone setting, —scaffolds and work platform erecting and dismantling, including renting of scaffolds and work platforms, —erection of chimneys and industrial ovens.	45250000 45262000
		This class excludes: —renting of scaffolds without erection and dismantling, see 71.32	
45.3	Building installation		45300000
45.31	Installation of electrical	This class includes: installation in buildings	45213316

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	wiring fittings	and or other construction projects of: —electrical wiring and fittings, — [F3]electronic communications networks] , —electrical heating systems, —residential antennas and aerials, —fire alarms, —burglar alarm systems, —lifts and escalators, —lightning conductors, etc.	45310000 Except: — 45316000
45.32	Insulation work activities	This class includes: —installation in buildings or other construction projects of thermal, sound or vibration insulation. This class excludes: —waterproofing, see 45.22.	45320000
45.33	Plumbing	This class includes: —installation in buildings or other construction projects of: —plumbing and sanitary equipment, —gas fittings, —heating, ventilation, refrigeration or air-conditioning equipment and ducts, —sprinkler systems This class excludes: —installation of electrical heating systems, see 45.31.	45330000
45.34	Other building installation	This class includes: —installation of illumination and signalling systems for roads, railways, airports and harbours, —installation in buildings or other	45234115 45316000 45340000

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		construction projects of fittings and fixtures n.e.c.	
45.4	Building completion		45400000
	45.41	Plastering This class includes: —application in buildings or other construction projects of interior and exterior plaster or stucco, including related lathing materials.	45410000
	45.42	Joinery installation This class includes: —installation of not self-manufactured doors, windows, door and window frames, fitted kitchens, staircases, shop fittings and the like, of wood or other materials, —interior completion such as ceilings, wooden wall coverings, movable partitions, etc. This class excludes: —laying of parquet and other wood floor coverings, see 45.43	45420000
	45.43	Floor and wall covering This class includes: —laying, tiling, hanging or fitting in buildings or other construction projects of: —ceramic, concrete or cut stone wall or floor tiles, —parquet and other wood floor coverings carpets and linoleum floor coverings, —including of rubber or plastic, —terrazzo, marble, granite or slate floor or wall coverings, —wallpaper.	45430000
	45.44	Painting and glazing This class includes:	45440000

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		—interior and exterior painting of buildings, —painting of civil engineering structures, —installation of glass, mirrors, etc. This class excludes: —installation of windows, see 45.42.		
45.45	Other building completion	This class includes: —installation of private swimming pools, —steam cleaning, sand blasting and similar activities for building exteriors, —other building completion and finishing work n.e.c. This class excludes: —interior cleaning of buildings and other structures see 74.70.	45212212 DA04 45450000	and
45.5	Renting of construction or demolition equipment with operator		45500000	
45.50	Renting of construction or demolition equipment with operator	This class excludes: —renting of construction or demolition machinery and equipment without operators, see 71.32.	45500000	

Textual Amendments

- F2** Words in sch. 2 inserted (31.12.2020) by [The Public Procurement etc. \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/468\)](#), regs. 1(2), **4(61)** (with sch. paras. 1-5)
- F3** Words in sch. 2 substituted (28.12.2017) by [The Communications Act 2003 and the Digital Economy Act 2017 \(Consequential Amendments to Secondary Legislation\) Regulations 2017 \(S.I. 2017/1011\)](#), reg. 1(1), **Sch. 4 para. 56(2)**

Marginal Citations

- M1** OJ L 293, 24.10.1990, p.1; last amended by Regulation (EC) No 1893/2006 of the European Parliament and of the Council (OJ L 393, 30.12.2006, p.1).

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- F2** Words in sch. 2 inserted (31.12.2020) by [The Public Procurement etc. \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/468\)](#), regs. 1(2), **4(61)** (with sch. paras. 1-5)
- F3** Words in sch. 2 substituted (28.12.2017) by [The Communications Act 2003 and the Digital Economy Act 2017 \(Consequential Amendments to Secondary Legislation\) Regulations 2017 \(S.I. 2017/1011\)](#), reg. 1(1), **Sch. 4 para. 56(2)**

Marginal Citations

- M1** OJ L 293, 24.10.1990, p.1; last amended by Regulation (EC) No 1893/2006 of the European Parliament and of the Council (OJ L 393, 30.12.2006, p.1).

SCHEDULE 3

Regulation 74

SOCIAL AND OTHER SPECIFIC SERVICES

<i>CPV Code</i>	<i>Description</i>
75200000-8; 75231200-6; 75231240-8; 79611000-0; 79622000-0 (Supply services of domestic help personnel); 79624000-4 (Supply services of nursing personnel) and 79625000-1 (Supply services of medical personnel) from 85000000-9 to 85323000-9; 98133100-5, 98133300-4; 98200000-5; 98500000-8 (Private households with employed persons) and 98513000-2 to 98514000-9 (Manpower services for households, Agency staff services for households, Clerical staff services for households, Temporary staff for households, Home-help services and Domestic services)	Health, social and related services
85321000-5 and 85322000-2, 75000000-6 (Administration, defence and social security services), 75121000-0, 75122000-7, 75124000-1; from 79995000-5 to 79995200-7; from 80000000-4 Education and training services to 80660000-8; from 92000000-1 to 92700000-8; 79950000-8 (Exhibition, fair and congress organisation services), 79951000-5 (Seminar organisation services), 79952000-2 (Event services), 79952100-3 (Cultural event organisation services), 79953000-9 (Festival organisation services), 79954000-6 (Party organisation services), 79955000-3 (Fashion shows organisation services), 79956000-0 (Fair and exhibition organisation services)	Administrative social, educational, healthcare and cultural services
75300000-9	Compulsory social security services
75310000-2, 75311000-9, 75312000-6, 75313000-3, 75313100-4, 75314000-0,	Benefit services

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75320000-5, 75330000-8, 75340000-1	
98000000-3; 98120000-0; 98132000-7; 98133110-8 and 98130000-3	Other community, social and personal services including services furnished by trade unions, political organisations, youth associations and other membership organisation services
98131000-0	Religious services
55100000-1 to 55410000-7; 55521000-8 to 55521200-0 (55521000-8 Catering services for private households, 55521100-9 Meals-on-wheels services, 55521200-0 Meal delivery service) 55520000-1 Catering services, 55522000-5 Catering services for transport enterprises, 55523000-2 Catering services for other enterprises or other institutions, 55524000-9 School catering services 55510000-8 Canteen services, 55511000-5 Canteen and other restricted-clientele cafeteria services, 55512000-2 Canteen management services, 55523100-3 School-meal services	Hotel and restaurant services
79100000-5 to 79140000-7; 75231100-5;	Legal services, to the extent not excluded by regulation 11(1)(e)
75100000-7 to 75120000-3; 75123000-4; 75125000-8 to 75131000-3	Other administrative services and government services
75200000-8 to 75231000-4	Provision of services to the community
75231210-9 to 75231230-5; 75240000-0 To 75252000-7; 794300000-7; 98113100-9	Prison related services, public security and rescue services to the extent not excluded by regulation 11(1)(k)
79700000-1 to 79721000-4 (Investigation and security services, Security services, Alarm-monitoring services, Guard services, Surveillance services, Tracing system services, Absconder-tracing services, Patrol services, Identification badge release services, Investigation services and Detective agency services) 79722000-1(Graphology services), 79723000-8 (Waste analysis services)	Investigation and security services
98900000-2 (Services provided by extra-territorial organisations and bodies) and 98910000-5 (Services specific to international organisations and bodies)	International services
64000000-6 (Postal and telecommunications services), 64100000-7 (Post and courier services), 64110000-0 (Postal services), 64111000-7 (Postal services related to newspapers and periodicals), 64112000-4 (Postal services related to letters), 64113000-1 (Postal services related to parcels), 64114000-8	Postal services

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(Post office counter services), 64115000-5
(Mailbox rental), 64116000-2 (Post-restante
services), 64122000-7 (Internal office mail and
messenger services)

50116510-9 (Tyre-remoulding services), Miscellaneous services
71550000-8 (Blacksmith services)

SCHEDULE 4

Regulation 5(2)

LIST OF PRODUCTS RELEVANT TO THRESHOLDS

The products covered by this Schedule are those specified in the following chapters of the Combined Nomenclature (CN) ^{M2}:

Chapter 25:	Salt, sulphur, earths and stone, plastering materials, lime and cement
Chapter 26:	Metallic ores, slag and ash
Chapter 27:	Mineral fuels, mineral oils and products of their distillation, bituminous substances, mineral waxes except: ex 27.10: special engine fuels
Chapter 28:	Inorganic chemicals, organic and inorganic compounds of precious metals, of rare-earth metals, of radioactive elements and isotopes except: ex 28.09: explosives ex 28.13: explosives ex 28.14: tear gas ex 28.28: explosives ex 28.32: explosives ex 28.39: explosives ex 28.50: toxic products ex 28.51: toxic products ex 28.54: explosives
Chapter 29:	Organic chemicals except: ex 29.03: explosives ex 29.04: explosives ex 29.07: explosives ex 29.08: explosives

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- ex 29.11: explosives
- ex 29.12: explosives
- ex 29.13: toxic products
- ex 29.14: toxic products
- ex 29.15: toxic products
- ex 29.21: toxic products
- ex 29.22: toxic products
- ex 29.23: toxic products
- ex 29.26: explosives
- ex 29.27: toxic products
- ex 29.29: explosive
- Chapter 30: Pharmaceutical products
- Chapter 31: Fertilisers
- Chapter 32: Tanning and dyeing extracts, tanning and their derivatives, dyes, colours, paints and varnishes, putty, fillers and stoppings, inks
- Chapter 33: Essential oils and resinoids, perfumery, cosmetic or toilet preparations
- Chapter 34: Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing and scouring preparations, candles and similar articles, modelling pastes and 'dental waxes'
- Chapter 35: Albuminoidal substances, glues, enzymes
- Chapter 37: Photographic and cinematographic goods
- Chapter 38: Miscellaneous chemical products,
except:
ex 38.19: toxic products
- Chapter 39: Artificial resins and plastic materials, celluloses esters and ethers, articles thereof, except:
ex 39.03: explosives
- Chapter 40: Rubber, synthetic rubber, factice, and articles thereof,
except:
ex 40.11: bullet-proof tyres
- Chapter 41: Raw hides and skins (other than fur skins) and leather
- Chapter 42: Articles of leather, saddlery and harness, travel goods, handbags and similar containers, articles of animal gut (other than silk-worm gut)
- Chapter 43: Fur skins and artificial fur, manufacturers thereof
- Chapter 44: Wood and articles of wood, wood charcoal
- Chapter 45: Cork and articles of cork

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- Chapter 46: Manufactures of straw of esparto and of other plaiting materials, basketware and wickerwork
- Chapter 47: Paper-making material
- Chapter 48: Paper and paperboard, articles or paper pulp, of paper or of paperboard
- Chapter 49: Printed books, newspapers, pictures and other products of the printing industry, manuscripts, typescripts and plans
- Chapter 65: Headgear and parts thereof
- Chapter 66: Umbrellas, sunshades, walking-sticks, whips, riding-crops and parts thereof
- Chapter 67: Prepared feathers and down and articles made of feathers or of down, artificial flowers, articles of human hair
- Chapter 68: Articles of stone, of plaster, of cement, of asbestos, of mica and of similar materials
- Chapter 69: Ceramic products
- Chapter 70: Glass and glassware
- Chapter 71: Pearls, precious and semi-precious stones, precious metals, rolled precious metals, and articles thereof; imitation jewellery
- Chapter 73: Iron and steel and articles thereof
- Chapter 74: Copper and articles thereof
- Chapter 75: Nickel and articles thereof
- Chapter 76: Aluminium and articles thereof
- Chapter 77: Magnesium and beryllium and articles thereof
- Chapter 78: Lead and articles thereof
- Chapter 79: Zinc and articles thereof
- Chapter 80: Tin and articles thereof
- Chapter 81: Other base metals employed in metallurgy and articles thereof
- Chapter 82: Tools, implements, cutlery, spoons and forks, of base metal, parts thereof, except:
 - ex 82.05: tools
 - ex 82.07: tools, parts
- Chapter 83: Miscellaneous articles of base metal
- Chapter 84: Boilers, machinery and mechanical appliances, parts thereof, except:
 - ex 84.06: engines
 - ex 84.08: other engines
 - ex 84.45: machinery
 - ex 84.53: automatic data-processing machines
 - ex 84.55: parts of machines under heading No 84.53
 - ex 84.59: nuclear reactors

Status: Point in time view as at 31/12/2020.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 16 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)

- Chapter 85: Electrical machinery and equipment, parts thereof,
except:
ex 85.13: telecommunication equipment
ex 85.15: transmission apparatus
- Chapter 86: Railway and tramway locomotives, rolling-stock and parts thereof, railway and tramway tracks fixtures and fittings, traffic signalling equipment of all kinds (not electrically powered),
except
ex 86.02: armoured locomotives, electric
ex 86.03: other armoured locomotives
ex 86.05: armoured wagons
ex 86.06: repair wagons
ex 86.07: wagons
- Chapter 87: Vehicles, other than railway or tramway rolling-stock, and parts thereof, except:
ex 87.08: tanks and other armoured vehicles
ex 87.01: tractors
ex 87.02: military vehicles
ex 87.03: breakdown lorries
ex 87.09: motorcycles
ex 87.14: trailers
- Chapter 89: Ships, boats and floating structures,
except:
ex 89.01A: warships
- Chapter 90: Optical, photographic, cinematographic, measuring, checking, precision, medical and surgical instruments and apparatus, parts thereof,
except:
ex 90.05: binoculars
ex 90.13: miscellaneous instruments, lasers
ex 90.14: telemeters
ex 90.28: electrical and electronic measuring instruments
ex 90.11: microscopes
ex 90.17: medical instruments
ex 90.18: mechano-therapy appliances
ex 90.19: orthopaedic appliances
ex 90.20: X-ray apparatus
- Chapter 91: Manufacture of watches and clocks

Status: Point in time view as at 31/12/2020.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 16 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)

Chapter 92:	Musical instruments, sound recorders and reproducers, television image and sound recorders or reproducers, parts and accessories of such articles
Chapter 94:	Furniture and parts thereof, bedding, mattresses, mattress supports, cushions and similar stuffed furnishings, except: ex 94.01A: aircraft seats
Chapter 95:	Articles and manufactures of carving or moulding material
Chapter 96:	Brooms, brushes, powder-puffs and sieves
Chapter 98:	Miscellaneous manufactured articles

Marginal Citations

M2 The references in this Schedule are derived from Annex 4 to the EU's Appendix 1 to the GPA (for which see the footnote to the definition of 'GPA' in regulation 2(1)).

Marginal Citations

M2 The references in this Schedule are derived from Annex 4 to the EU's Appendix 1 to the GPA (for which see the footnote to the definition of 'GPA' in regulation 2(1)).

F⁴SCHEDULE 5

Regulations 59(5)

Textual Amendments

F4 Sch. 5 omitted (31.12.2020) by virtue of The Public Procurement etc. (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/468), regs. 1(2), 4(62) (with sch. paras. 1-5)

SCHEDULE 6

Regulation 97(2)

CONSEQUENTIAL AND MISCELLANEOUS AMENDMENTS

PART 1

MODIFICATIONS TO PRIMARY LEGISLATION

Late Payment of Commercial Debts (Interest) Act 1998

1.—(1) The Late Payment of Commercial Debts (Interest) Act 1998 ^{M3}is amended as follows.

Status: Point in time view as at 31/12/2020.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 16 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)

(2) In section 4(8) ^{M4} (period for which statutory interest runs), in the definition of “public authority” for “regulation 3 of the Public Contracts (Scotland) Regulations 2012” substitute “ regulation 2(1) of the Public Contracts (Scotland) Regulations 2015 ”.

Marginal Citations

M3 1998 c.20.

M4 Section 4 relevantly amended by S.S.I. 2013/77, **regulation 2(6)**.

Procurement Reform (Scotland) Act 2014

2.—(1) The Procurement Reform (Scotland) Act 2014 ^{M5} is amended as follows.

(2) In section 4(1), for “mentioned in paragraph (1) or (2) of regulation 6 of the Public Contract Regulations” substitute “ to which Public Contracts Regulations do not apply by virtue of regulation 4 or 7 to 18 of those regulations ”.

(3) In section 11(3) for “supported employment programme or supported factory within the meaning regulation 7” substitute “ or supported employment programme within the meaning of regulation 21 ”.

(4) In section 41(1) (the Directive, Public Contracts Regulations and EU regulated procurements)

- (a) In paragraph (a), for “Directive [2004/18/EC](#)” substitute “ Directive 2014/24/EU ”;
- (b) In paragraph (b) for “Public Contracts (Scotland) Regulations 2012 (S.S.I. 2012/88)” substitute “Public Contracts (Scotland) Regulations 2015 (S.S.I. 2015/XX);
- (c) in paragraph (c) omit “by virtue of regulation 5(1)”.

Marginal Citations

M5 2014 asp. 12.

Small Business, Enterprise and Employment Act 2015

3.—(1) The Small Business, Enterprise and Employment Act 2015 ^{M6} is amended as follows.

(2) In section 40(5)(investigation of procurement functions) in the definition of “a relevant function relating to procurement”, in paragraph (c)—

- (a) for “Public Contracts (Scotland) Regulations 2012 (S.I. 2012/88)” substitute “ Public Contracts (Scotland) Regulations 2015 ”; and
- (b) for “regulation 8” substitute “ regulation 5 ”.

Marginal Citations

M6 2015 c.26.

PART 2

MODIFICATIONS TO SUBORDINATE LEGISLATION

Bathing Waters (Scotland) Regulations 2008

4.—(1) The Bathing Waters (Scotland) Regulations 2008 ^{M7} are amended as follows.

(2) In regulation 2 ^{M8} (interpretation), in the definition of “public body”, for the “Public Contracts (Scotland) Regulations 2012” substitute “ Public Contracts (Scotland) Regulations 2015 ”.

Marginal Citations

M7 [S.S.I. 2008/170](#).

M8 [Regulation 2](#) relevantly amended by [S.S.I. 2012/88](#), [schedule 7\(B\)](#), paragraph 1.

Cleaner Road Transport Vehicles (Scotland) Regulations 2010

5.—(1) The Cleaner Road Transport Vehicles (Scotland) Regulations 2010 ^{M9} are amended as follows.

(2) In regulation 2 ^{M10} (interpretation) in the definition of—

- (a) “contracting authority” for “regulation 3 of the Public Contracts (Scotland) Regulations 2012” substitute “ regulation 2(1) of the Public Contracts (Scotland) Regulations 2015 ”; and
- (b) “operator” for “regulation 8 of the Public Contracts (Scotland) Regulations 2012” substitute “ regulation 5 of the Public Contracts (Scotland) Regulations 2015 ”.

(3) In regulation 6(1)(a) ^{M11} (enforcement of duties) for “Part 9 of the Public Contracts (Scotland) Regulations 2012” substitute “ Chapter 6 of Part 3 of the Public Contracts (Scotland) Regulations 2015 ”.

Marginal Citations

M9 [S.S.I. 2010/390](#).

M10 [Regulation 2](#) relevantly amended by [S.S.I. 2012/88](#), [schedule 7\(B\)](#), paragraph 1.

M11 [Regulation 6\(1\)\(a\)](#) amended by [S.S.I. 2012/88](#), [schedule 7\(B\)](#), paragraph 1.

Defence and Security Public Contracts Regulations 2011

6.—(1) The Defence and Security Public Contracts Regulations 2011 ^{M12} are amended as follows.

(2) In regulation 3(1) ^{M13} (interpretation), in the definition of “central purchasing body”, for “regulation 3 of the Public Contracts (Scotland) Regulations 2012” substitute “ regulation 2(1) of the Public Contracts (Scotland) Regulations 2015 ”.

(3) In regulation 4(b) ^{M14} (contracting authorities), for “regulation 3 of the Public Contracts (Scotland) Regulations 2012” substitute “ regulation 2(1) of the Public Contracts (Scotland) Regulations 2015 ”.

(4) In regulation 6 ^{M15} (application), for “the Public Contracts (Scotland) Regulations 2012”, in each place it occurs, substitute “ the Public Contracts (Scotland) Regulations 2015 ”.

Status: Point in time view as at 31/12/2020.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 16 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)

(5) In regulations 16(2)(b) ^{M16} (use of the negotiated procedure without prior publication of a contract notice), 31(9)(b) ^{M17} (criteria for the award of a contract) and 33(14)(b) ^{M18} (information about contract award procedures) for heads (ii) and (iii), in each place they occur, substitute—

“(ii) a “body governed by public law” within the meaning of regulation 2(1) of the Public Contracts (Scotland) Regulations 2015 and the Secretary of State for Defence is the authority referred to in any of the sub-paragraphs (a) to (c) of that definition for that body or the financing, supervisory or appointing body, or

(iii) an association formed by either the Secretary of State for Defence or one or more bodies governed by public law within the meaning of (i) or (ii).”.

(6) In regulation 46(3) ^{M19} both paragraphs (b) substitute—

“(b) a “body governed by public law” within the meaning of regulation 2(1) of the Public Contracts (Scotland) Regulations 2015 and the Secretary of State for Defence is the authority referred to in any of the sub-paragraphs (a) to (c) of that definition for that body or the financing, supervisory or appointing body, or

(c) an associated formed by either the Secretary of State for Defence or one or more bodies governed by public law within the meaning of (a) or (b).”.

Marginal Citations

M12 [S.I. 2011/1848](#).

M13 [Regulation 3\(1\)](#) relevantly amended by [S.S.I. 2012/88](#), [schedule 7\(B\)](#), paragraph 1.

M14 [Regulation 4\(b\)](#) amended by [S.S.I. 2012/88](#), [schedule 7\(B\)](#), paragraph 1.

M15 [Regulation 6](#) relevantly amended by [S.S.I. 2012/88](#), [schedule 7\(B\)](#), paragraph 1.

M16 [Regulation 16\(2\)\(b\)](#) relevantly amended by [S.I. 2015/102](#), [schedule 6\(2\)](#), paragraph 19(8).

M17 [Regulation 31\(9\)\(b\)](#) relevantly amended by [S.I. 2015/102](#), [schedule 6\(2\)](#), paragraph 19(8).

M18 [Regulation 33\(14\)\(b\)](#) relevantly amended by [S.I. 2015/102](#), [schedule 6\(2\)](#), paragraph 19(8).

M19 [Regulation 46\(3\)](#) relevantly amended by [S.I. 2015/102](#), [schedule 6\(2\)](#), paragraph 19(10).

Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012

7.—(1) The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 ^{M20} are amended as follows.

(2) In regulation 9(4) (duty to consider award criteria and conditions in relation to public procurement), for both references to “Public Contracts (Scotland) Regulations 2012” substitute “Public Contracts (Scotland) Regulations 2015”.

Marginal Citations

M20 [S.S.I. 2012/162](#).

Utilities Contracts (Scotland) Regulations 2012

8.—(1) The Utilities Contracts (Scotland) Regulations 2012 ^{M21} are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of “contracting authority” for “regulation 3 of the Public Contracts (Scotland) Regulations 2012” substitute “regulation 2(1) of the Public Contracts (Scotland) Regulations 2015”.

(3) In regulation 5 (application) for the “Public Contracts (Scotland) Regulations 2012”, in each place it occurs, substitute “Public Contracts (Scotland) Regulations 2015”.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 16 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)

(4) In regulation 21(2) (central purchasing bodies) for the “Public Contracts (Scotland) Regulations 2012” substitute “ Public Contracts (Scotland) Regulations 2015 ”.

Marginal Citations

M21 [S.S.I. 2012/89](#).

Energy Efficiency (Eligible Buildings) Regulations 2013

9.—(1) The Energy Efficiency (Eligible Buildings) Regulations 2013 ^{M22} are amended as follows.

(2) In regulation 2 (interpretation), in the definition of “public bodies”, in paragraph (b), for “ ‘contracting authorities’ as defined in regulation 3 of Public Contracts (Scotland) Regulations 2012” substitute “any ‘contracting authority’ as defined in regulation 2(1) of the Public Contracts (Scotland) Regulations 2015”.

Marginal Citations

M22 [S.I. 2013/3220](#).

Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013

10.—(1) The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013 ^{M23} is amended as follows.

(2) For paragraph 10 (public procurement) of schedule 3 (exclusions of section 4(2)(a) and (b) of the act), substitute—

“(1) Any question asked by or on behalf of a contracting authority or contracting entity in relation to a conviction specified in regulation 58 of the Public Contracts (Scotland) Regulations 2015 which is a spent conviction (or any circumstances ancillary to such a conviction) for the purpose of determining whether or not a person is to be excluded—

- (a) for the purposes of regulation 58 of the Public Contracts (Scotland) Regulations 2015 or regulation 26 of the Utilities Contracts (Scotland) Regulations 2012; or
- (b) from participation in a design contest for the purposes of [^{F5}regulation 79] of the Public Contracts (Scotland) Regulations 2015 or regulation 34 of the Utilities Contracts (Scotland) Regulations 2012,

where the person questioned is informed at the time the question is asked that, by virtue of this Order, convictions within the meaning of regulation 58 of the Public Contracts (Scotland) Regulations 2015, which are spent convictions, are to be disclosed.

(2) For the purposes of contract award procedures or design contests commenced before 18th April 2016 and on or after 1st May 2012, the references in sub-paragraph (1) to [^{F5}regulations 58 and 79] of the Public Contracts (Scotland) Regulations 2015 are to be read as references to regulations 23 and 33 of the Public Contracts (Scotland) Regulations 2012 ^{M24}.

(3) For the purposes of sub-paragraph (2), the commencement of a contract award procedure or design contest is to be interpreted in accordance with—

- (a) regulation 98(2) (transitional provision and savings where procurement procedure commenced before 18th April 2016) and 99(2) (transitional provision and saving where utilities procurement procedures commenced before 18th April 2016) of the Public Contracts (Scotland) Regulations 2015;

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- (b) regulation 52(2) of the Public Contracts (Scotland) Regulations 2012; and
 - (c) regulation 49(2) of the Utilities Contracts (Scotland) Regulations 2012.
- (4) For the purposes of contract award procedures or design contests commenced before 1st May 2012—
- (a) the references in sub-paragraph (1) to regulations 58 and 79 of the Public Contracts (Scotland) Regulations 2015 are to be read as references to regulations 23 and 33 of the Public Contracts (Scotland) Regulations 2006 ^{M25}; and
 - (b) the references in sub-paragraph (1) to regulations 26 and 34 of the Utilities Contracts (Scotland) Regulations 2012 are to be read as references to regulations 26 and 34 of the Utilities Contracts (Scotland) Regulations 2006 ^{M26}.
- (5) For the purposes of sub-paragraph (4), the commencement of a contract award procedure or design contest is to be interpreted in accordance with—
- (a) regulation 52(2) of the Public Contracts (Scotland) Regulations 2012; and
 - (b) regulation 49(2) of the Utilities Contracts (Scotland) Regulations 2012.”

Textual Amendments

- F5** Words in [sch. 6 para. 10\(2\)](#) substituted (18.4.2016) by [The Public Contracts \(Scotland\) Amendment Regulations 2016 \(S.S.I. 2016/47\)](#), regs. 1, **2(10)**

Marginal Citations

- M23** [S.S.I. 2013/50](#).
- M24** [S.S.I. 2012/88](#), repealed by regulation 98 of these Regulations, subject to the savings and transitional provisions in regulations 99 and 100 of these Regulations.
- M25** [S.S.I. 2006/1](#), repealed by [S.S.I. 2012/88](#), [schedule 7\(A\)](#), paragraph 1, subject to savings and transitional provisions in regulation 52 of those Regulations. Regulation 23 amended by [S.I. 2007/2157](#), [schedule 6\(2\)](#), paragraph 12; [S.S.I. 2008/94](#) regulation 2(7)(a)(b) and (c); [S.S.I. 2009/428](#) regulation 2(8)(a) and (b). Regulation 33 amended by [S.S.I. 2007/565](#), [regulation 2\(5\)\(a\)](#), (b) and (c); [S.S.I. 2008/94](#), [regulation 2\(1\)](#); [S.S.I. 2009/428](#) regulation 2(10)(a) and (b).
- M26** [S.S.I. 2006/2](#), repealed by [S.S.I. 2012/89](#), [schedule 5\(A\)](#), paragraph 1, subject to savings and transitional provisions in regulation 49 of those Regulations. Regulation 26 amended by [S.I. 2007/2157](#), [schedule 6\(2\)](#), paragraph 13; [S.S.I. 2009/428](#), [regulation 4\(5\)\(a\)](#) and (b). Regulation 34 amended by [S.S.I. 2008/94](#), [regulation 3\(6\)\(a\)\(b\)](#) and (c); [S.S.I. 2009/428](#) regulation 4(9)(a) and (b); [S.I. 2011/2053](#), regulation 30(2)(c) and (d).

Energy Savings Opportunity Scheme Regulations 2014

- 11.**—(1) The Energy Saving Opportunity Scheme Regulations 2014 ^{M27} are amended as follows.
- (2) In regulation 16(2)(b)(ii) ^{M28} (excluded undertakings) for “regulation 3 of the Public Contracts (Scotland) Regulations 2012” substitute “ regulation 2(1) of the Public Contracts (Scotland) Regulations 2015 ”.

Marginal Citations

- M27** [S.I. 2014/1643](#).
- M28** To which there are amendments not relevant to these Regulations.

Status:

Point in time view as at 31/12/2020.

Changes to legislation:

The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 16 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.