



# Procurement Act 2023

## 2023 CHAPTER 54

### PART 3

#### AWARD OF PUBLIC CONTRACTS AND PROCEDURES

### CHAPTER 3

#### DIRECT AWARD

#### **42 Direct award to protect life, etc**

- (1) If a Minister of the Crown considers it necessary, the Minister may by regulations provide that specified public contracts may be awarded under section 41 as if a direct award justification applies.
- (2) In subsection (1), “necessary” means necessary to—
  - (a) protect human, animal or plant life or health, or
  - (b) protect public order or safety.
- (3) Provision under subsection (1) may—
  - (a) specify contracts or classes of contract, or otherwise describe contracts by reference to purpose, subject-matter or contracting authority;
  - (b) include other conditions or limitations;
  - (c) confer a discretion.
- (4) A Minister of the Crown must—
  - (a) keep regulations made under subsection (1) under review, and
  - (b) if the Minister considers that direct award under section 41 is no longer necessary, revoke the regulations.