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STATUTORY INSTRUMENTS

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**2006 No. 6**

**PUBLIC PROCUREMENT,  
ENGLAND AND WALES  
PUBLIC PROCUREMENT, NORTHERN IRELAND**

<sup>F1</sup>The Utilities Contracts Regulations 2006 (revoked)

<i>Made</i>	- - - -	<i>9th January 2006</i>
<i>Laid before Parliament</i>		<i>9th January 2006</i>
<i>Coming into force</i>		<i>31st January 2006</i>

THE UTILITIES CONTRACTS REGULATIONS 2006 (REVOKED)

PART 1  
GENERAL

1. Citation, commencement and extent
2. Interpretation
3. Utilities
4. Economic operators
5. Application
6. General exclusions
7. Exclusion of contracts awarded to affiliated undertakings or joint ventures
8. Exemption in respect of certain utilities operating in the energy sector
9. Exemption of contracts where activity is directly exposed to competition
10. Reserved Contracts
11. Thresholds

PART 2  
TECHNICAL SPECIFICATIONS

12. Technical specifications in contract documents
13. Variants

**Changes to legislation:** There are currently no known outstanding effects for the The Utilities Contracts Regulations 2006 (revoked). (See end of Document for details)

### PART 3

#### PROCEDURES LEADING TO THE AWARD OF A CONTRACT

14. The open, restricted and negotiated procedures
15. Periodic indicative notices
16. Call for competition
17. Award without a call for competition
18. Framework agreements
19. Dynamic purchasing systems
20. Electronic auctions
21. Central purchasing bodies
22. Time limits

### PART 4

#### QUALIFICATION AND SELECTION OF ECONOMIC OPERATORS

23. General
24. Mutual recognition concerning administrative, technical or financial conditions
25. Qualification system
26. Criteria for rejection of economic operators
27. Criteria for selection of economic operators
28. Consortia
29. Corporations
- 29A Notification

### PART 5

#### THE AWARD OF A CONTRACT

30. Criteria for the award of a contract
31. Rejection of third country tenders - supply contracts
32. Contract award notices
33. Information about contract award procedures
- 33A Standstill period

### PART 6

#### SPECIALISED CONTRACTS

34. Design contests

### PART 7

#### MATTERS RELATING TO A CONTRACT

35. Obligations relating to taxes, environmental protection, employment protection and working conditions
36. Conditions for performance of contracts

### PART 8

#### MISCELLANEOUS

37. Preservation of records
38. Statistical and other reports

- 39. Provision of reports
- 40. Publication of notices
- 41. Confidentiality of information
- 42. Means of communication
- 43. Sub-contracting
- 44. Attestation

## PART 9

### APPLICATIONS TO THE COURT

- 45. Interpretation of Part 9
- 45A Duty owed to economic operators
- 45B Duty owed to GPA economic operators
- 45C Enforcement of duties through the Court
- 45D General time limits for starting proceedings
- 45E Special time limits for seeking a declaration of ineffectiveness
- 45F Starting proceedings
- 45G Contract-making suspended by challenge to award decision
- 45H Interim orders
- 45I Remedies where the contract has not been entered into
- 45J Remedies where the contract has been entered into
- 45K Grounds for ineffectiveness
- 45L General interest grounds for not making a declaration of ineffectiveness
- 45M The consequences of ineffectiveness
- 45N Penalties in addition to, or instead of, ineffectiveness
- 45O Ineffectiveness etc. in relation to specific contracts under a framework agreement
- 45P Injunctions against the Crown
- 46. Conciliation

## PART 10

### REVOCATION, SAVINGS AND TRANSITIONAL PROVISIONS

- 47. Revocation
- 48. Savings and transitional provisions
- Signature

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SCHEDULE 1 — UTILITIES

SCHEDULE 2 — ACTIVITIES CONSTITUTING WORKS

SCHEDULE 3 — CATEGORIES OF SERVICES

SCHEDULE 4 — EXTENSION TO NON-MEMBER STATES

Explanatory Note

**Changes to legislation:**

There are currently no known outstanding effects for the The Utilities Contracts Regulations 2006 (revoked).