
STATUTORY INSTRUMENTS

2011 No. 2053

The Public Procurement (Miscellaneous
Amendments) Regulations 2011

PART 4

AMENDMENT OF THE DEFENCE AND SECURITY
PUBLIC CONTRACTS REGULATIONS 2011

Time Limits and service of proceedings

26.—(1) In regulation 50(2), omit “, except in regulation 53(2),”.

(2) In regulation 53—

(a) for paragraph (2) substitute—

“(2) Subject to paragraphs (3) to (5), such proceedings must be started within 30 days beginning with the date when the economic operator first knew or ought to have known that grounds for starting the proceedings had arisen.”; and

(b) for paragraphs (4) and (5) substitute—

“(4) Subject to paragraph (5), the Court may extend the time limit imposed by paragraph (2) (but not any of the limits imposed by regulation 54) where the Court considers that there is a good reason for doing so.

(5) The Court must not exercise its power under paragraph (4) so as to permit proceedings to be started more than 3 months after the date when the economic operator first knew or ought to have known that grounds for starting the proceedings had arisen.

(6) For the purposes of this regulation, in England and Wales and in Northern Ireland, proceedings are to be regarded as started when the claim form is issued.”.

(3) In regulation 54, for paragraph (8) substitute—

“(8) For the purposes of this regulation, in England and Wales and in Northern Ireland, proceedings are to be regarded as started when the claim form is issued.”.

(4) In regulation 55, for paragraph (1) substitute—

“(1) Where proceedings are started, the economic operator must serve the claim form, or in Scotland the proceedings, on the contracting authority within 7 days after the date of issue.”.

Changes to legislation:

There are currently no known outstanding effects for the The Public Procurement (Miscellaneous Amendments) Regulations 2011, Section 26.