
STATUTORY INSTRUMENTS

2016 No. 273

The Concession Contracts Regulations 2016

PART 3

Rules on the award of concession contracts

CHAPTER 1

General principles

Electronic availability of concession documents

34.—(1) Contracting authorities and utilities shall, by means of the internet, offer unrestricted and full direct access free of charge to the concession documents from the date of the publication [^{F1}on the UK e-notification service] of a concession notice or, where the concession notice does not include the invitation to submit tenders, from the date on which the invitation to submit tenders was sent.

(2) The text of the concession notice or of the invitation to submit tenders shall specify the internet address at which the concession documents are accessible.

(3) Paragraph (4) applies where, in duly justified circumstances due to—

- (a) exceptional security reasons,
- (b) technical reasons, or
- (c) the particularly sensitive nature of commercial information requiring a very high level of protection,

unrestricted and full direct access free of charge to certain concession documents cannot be offered by means of the internet.

(4) In those circumstances contracting authorities and utilities shall indicate in the notice or the invitation to submit a tender that the concession documents concerned will be transmitted by means other than the internet and the time limit for the receipt of tenders shall be prolonged.

(5) Provided that it has been requested in good time, contracting authorities and utilities shall supply to all applicants or tenderers taking part in the concession contract award procedure additional information relating to the concession documents not later than 6 days before the deadline fixed for the receipt of tenders.

Textual Amendments

- F1** Words in [reg. 34\(1\)](#) substituted (31.12.2020) by [The Public Procurement \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1319\)](#), [regs. 1\(2\)](#), [8\(20\)](#) (with [Sch. paras. 3-5](#))

Status:

Point in time view as at 25/05/2023.

Changes to legislation:

The Concession Contracts Regulations 2016, Section 34 is up to date with all changes known to be in force on or before 20 August 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.