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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2016 No.**

**The Procurement (Scotland) Regulations 2016**

**PART 4**

**SPECIFIC DUTIES**

**Publication of contract notices, prior information notices and award notices on the Public Contracts website**

7.—(1) Where a notice to be published in accordance with section 23(1) of the Act relates to an EU regulated procurement for which notice must be published in accordance with regulations 49, 50, 51 and 78 of the 2015 Regulations, a contracting authority must comply with regulation 53(3) and (4) of those Regulations.

(2) A contracting authority must publicise its intention to seek offers—

(a) by publishing a contract notice; or

(b) where paragraph (3) applies, by publishing a contract notice or a prior information notice.

(3) This paragraph applies where the contract is to be awarded by a sub-central contracting authority.

(4) A contract notice published in accordance with paragraph (2) must contain the information set out in Part C of Annex V to the Directive.

(5) A prior information notice published in accordance with paragraph (2) must contain the information set out in sections I and II of Part B of Annex V to the Directive.

(6) Not later than 30 days after the award of a contract to be published in accordance with section 23(2) of the Act, a contracting authority must send for publication a contract award notice.

(7) A contract award notice must contain the information set out in Part D of Annex V to the Directive.

(8) A contracting authority may withhold information from publication in a contract award notice where the release of the information would—

(a) impede law enforcement or otherwise be contrary to the public interest;

(b) prejudice the commercial interests of any person; or

(c) prejudice fair competition between economic operators.

(9) In this regulation, “sub-central contracting authority” has the same meaning as in the 2015 Regulations.