
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 94

**The Public Contracts and Utilities Contracts
(Scotland) Amendment Regulations 2008**

Amendments to the Utilities Contracts Regulations

- 3.—(1) The Utilities Contracts Regulations are amended as follows.
- (2) In regulation 2(1) (interpretation), in the definition of “central purchasing body”, for “a utility which is a contracting authority and”, substitute “ a contracting authority ”.
- (3) In regulation 5(1) (application) for “Subject to regulation 11(20), these Regulations” substitute “ These Regulations ”.
- (4) In regulation 7(4) (exclusion of contracts awarded to affiliated undertakings or joint ventures) for “may” substitute “ shall ”.
- (5) In regulation 11 (thresholds)—
- (a) in paragraph (1) after “These Regulations” insert “ , except paragraph (20) of this regulation, ”; and
 - (b) in paragraph (20) after “advertising” insert “ and follow a procedure leading to the award of the contract ”.
- (6) In regulation 34 (design contests)—
- (a) in paragraph (2), for “the relevant threshold described in paragraph (4)” substitute “ the amount set out in Article 61(1) ”;
 - (b) in paragraph (3)(b), for “the relevant threshold described in paragraph (4)” substitute “ the amount set out in Article 61(2). ”; and
 - (c) omit paragraph (4).
- (7) In regulation 38(4) (statistical and other reports), for sub-paragraph (b) substitute—
- “(b) telecommunications services specified under CPV references 64221000-1, 64227000-3, 64228000-0, 64228100-1 and 64228200-2 within category 5 of Part A of Schedule 3; or”.
- (8) In Schedule 4 (extension to non-member states), in the table, omit the entries for Bulgaria and Romania.

Changes to legislation:

There are currently no known outstanding effects for the The Public Contracts and Utilities Contracts (Scotland) Amendment Regulations 2008, Section 3.