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*Status: Point in time view as at 18/04/2016.*

*Changes to legislation: The Public Contracts (Scotland) Regulations 2015, Section 94 is up to date with all changes known to be in force on or before 10 June 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. (See end of Document for details)*

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## SCOTTISH STATUTORY INSTRUMENTS

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# 2015 No. 446

## The Public Contracts (Scotland) Regulations 2015

### PART 3

#### REMEDIES

##### CHAPTER 6

##### APPLICATIONS TO THE COURT

#### **Other orders**

**94.**—(1) Where the court declines to make an ineffectiveness order under regulation 93, the Court must, without prejudice to the other powers of the court, order—

- (a) the payment by the contracting authority of a financial penalty; or
- (b) the shortening of the duration of the contract or framework agreement.

(2) In determining what order to make under paragraph (1)(a), regulation 90(4) (powers and duties of the court) applies.

(3) Regulation 90(5) and (6) (powers and duties of the court) applies to an order made under paragraph (1)(b) as it applies to an order made under regulation 90(3)(b) (powers and duties of the court).

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