

[^{F1}SCHEDULE 1 **S**

Regulation 2(1)

CENTRAL GOVERNMENT AUTHORITIES

Textual Amendments

F1 Sch. 1 substituted (16.8.2021) by The Public Procurement (Agreement on Government Procurement) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/872), reg. 1(1), **Sch. 2**

Where an entity listed in this Schedule is succeeded by another entity, which is itself a contracting authority, the successor entity shall be deemed to be included in this Schedule.

PART 1 **S**

GPA ANNEX 1 CONTRACTING AUTHORITIES

Attorney General's Office
Government Legal Department
Cabinet Office
Office of the Parliamentary Counsel
Boundary Commission for England
Crown Commercial Service
Charity Commission
Crown Estate – Vote Expenditure Only
Crown Prosecution Service
Department for Business, Energy and Industrial Strategy
Competition Appeal Tribunal
Competition and Markets Authority
Competition Service
Intellectual Property Office
Nuclear Decommissioning Authority
Metrological Office (known as “Met Office”)
Office of Manpower Economics
Oil and Gas Authority
UK Research and Innovation
Department for Education
Office for Students
Ministry of Housing, Communities and Local Government
Department for Digital, Culture, Media and Sport
Arts Council England
British Library
British Museum
The Gambling Commission

Status: Point in time view as at 30/05/2023.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

Historic Buildings and Monuments Commission for England (known as “Historic England”)
Imperial War Museum
National Gallery
National Maritime Museum
National Portrait Gallery
Natural History Museum
Board of Trustees of the Science Museum (known as “Science Museum Group”)
Tate Gallery
Victoria and Albert Museum
Wallace Collection
Department for Environment, Food and Rural Affairs
Natural England
Plant Variety Rights Office
Royal Botanic Gardens, Kew
Department of Health and Social Care
NHS Business Services Authority
NHS Commissioning Board (known as “NHS England”)
NHS Trusts
NHS Foundation Trusts
Department for International Trade
Department for Transport
Maritime and Coastguard Agency
Highways England Company Ltd (known as “Highways England”)
Department for Work and Pensions
Office of Nuclear Regulation
Pensions Regulator
Social Security Advisory Committee
Export Credits Guarantee Department (known as “UK Export Finance”)
Foreign, Commonwealth and Development Office
Wilton Park
Government Actuary’s Department
Government Communications Headquarters
Home Office
HM Inspectorate of Constabulary and Fire & Rescue Services
Corporate Officer of the House of Commons
Corporate Officer of the House of Lords
Ministry of Defence
Defence Equipment & Support
Ministry of Justice
Court of Appeal (England and Wales)

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

Employment Appeals Tribunal
Employment Tribunals
First-tier Tribunal
Her Majesty's Courts and Tribunals Service
Law Commission
Legal Aid Agency – England and Wales
Office of the Official Solicitor to the Senior Courts and the Public Trustee
Office of the Public Guardian
Parole Board
UK Supreme Court
Upper Tribunal
The National Archives
National Audit Office
National Savings and Investments
Northern Ireland Assembly Commission
Northern Ireland Ministers
 Agricultural Wages Board for Northern Ireland
 Attorney General for Northern Ireland
 Department of Agriculture, Environment and Rural Affairs
 Department for Communities
 Department for the Economy
 Consumer Council Northern Ireland (with respect only to the functions transferred from the National Consumer Council which were themselves transferred from the Gas and Electricity Consumer Council)
 Department of Education
 Department of Finance
 Department of Health
 Department for Infrastructure
 Department of Justice
 Coroners Service
 County Courts
 Court of Appeal and High Court of Justice in Northern Ireland
 Crown Court
 Enforcement of Judgements Office
 Forensic Science Northern Ireland
 Legal Service Agency Northern Ireland
 Magistrates' Courts
 Pensions Appeals Tribunals (Northern Ireland)
 Police Service of Northern Ireland
 Probation Board for Northern Ireland

Status: Point in time view as at 30/05/2023.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

Office of the Social Security Commissioners and Child Support Commissioners (Northern Ireland)

State Pathologist's Department

Executive Office

Northern Ireland Office

Office of the Chief Electoral Officer for Northern Ireland

Public Prosecution Service for Northern Ireland

Office for National Statistics

National Health Service Central Register

F2
...

Textual Amendments

F2 Words in *sch. 1 Pt. 1* omitted (1.1.2023) by virtue of [The Parliamentary Works Sponsor Body \(Abolition\) Regulations 2022 \(S.I. 2022/1360\)](#), regs. 1, **10(4)** (with reg. 11)

Parliamentary and Health Service Ombudsman

Postal business of the Post Office

Privy Council Office

Restoration and Renewal Delivery Authority Ltd

HM Revenue and Customs

Royal Hospital, Chelsea

Royal Mint

Rural Payments Agency

Scotland, Auditor-General

Scotland, Crown Office and Procurator Fiscal Service

Scotland, National Records of Scotland

Scotland, Queen's and Lord Treasurer's Remembrancer

Scotland, Registers of Scotland

The Scotland Office

The Scottish Ministers

Architecture and Design Scotland

Crofting Commission

Lands Tribunal for Scotland

National Galleries of Scotland

National Library of Scotland

National Museums of Scotland

Royal Botanic Garden, Edinburgh

Scottish Courts and Tribunals Service

Scottish Further and Higher Education Funding Council

Scottish Law Commission

Special Health Boards
Health Boards
The Office of the Accountant of Court
High Court of Justiciary
Court of Session
HM Inspectorate of Constabulary
Parole Board for Scotland
Pensions Appeal Tribunals (Scotland)
Scottish Land Court
Sheriff Courts
Scottish Natural Heritage
Scottish Police Authority
First-tier Tribunal for Scotland
Upper Tribunal for Scotland
Historic Environment Scotland
The Scottish Parliamentary Corporate Body
HM Treasury
 United Kingdom Debt Management Office
The Wales Office – Office of the Secretary of State for Wales
The Welsh Ministers
 Agricultural Dwelling House Advisory Committees (Wales)
 Agricultural Land Tribunal for Wales
 Higher Education Funding Council for Wales
 Local Democracy and Boundary Commission for Wales
 Rent Assessment Committee (Wales)
 The Royal Commission on the Ancient and Historical Monuments of Wales
 Valuation Tribunals for Wales
 Welsh National Health Service Trusts and Local Health Boards

PART 2

OTHER CENTRAL GOVERNMENT CONTRACTING AUTHORITIES

Agri-Food and Biosciences Institute
Armagh Observatory
Armagh Planetarium
Arts Council of Northern Ireland
Arts Council of Wales
Belfast Health and Social Care Trust
Belfast Metropolitan College
Care Council for Wales

Status: Point in time view as at 30/05/2023.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

Chief Inspector of Criminal Justice
Comhairle na Gaelscolaiochta
Commissioner for Children and Young People for Northern Ireland
Commissioner for Older People for Northern Ireland
Commissioner for Public Appointments for Northern Ireland
Commissioner for Victims and Survivors
Common Services Agency for the Scottish Health Service
Community Relations Council
Construction Industry Training Board – ConstructionSkills NI
Council for Catholic Maintained Schools
Council for the Curriculum, Examinations and Assessment
Education and Library Boards
Education Authority
Equality Commission for Northern Ireland
Exceptional Circumstances Body

F3
...

Textual Amendments

F3 Words in *sch. 1 Pt. 2* omitted (1.1.2022) by virtue of *The Public Procurement (Agreement on Government Procurement) (Thresholds etc.) (Amendment) (Scotland) Regulations 2021 (S.S.I. 2021/378)*, regs. 1(2), 3(5) (with reg. 6)

General Teaching Council for Northern Ireland
Food Standards Scotland
Health and Safety Executive for Northern Ireland
Health and Social Care Regulation and Quality Improvement Authority
Health Improvement Scotland
ILEX Urban Regeneration Company Limited
Integration Joint Boards
Invest Northern Ireland
Labour Relations Agency
Lay Observer for Northern Ireland
Livestock and Meat Commission for Northern Ireland
Local Government Staff Commission
Maze Long Kesh Development Corporation
Middletown Centre for Autism
National Library of Wales
National Museum Wales
National Museums Northern Ireland
Natural Resources Wales

North West Regional College
Northern Health and Social Care Trust
Northern Ireland Ambulance Service Trust
Northern Ireland Blood Transfusion Service
Northern Ireland Building Regulations Advisory Committee
Northern Ireland Council for Integrated Education
Northern Ireland Environment Agency
Northern Ireland Fire and Rescue Service
Northern Ireland Fishery Harbour Authority
Northern Ireland Guardian Ad Litem Agency
Northern Ireland Housing Executive
Northern Ireland Judicial Appointments Commission
Northern Ireland Law Commission
Northern Ireland Legal Services Commission
Northern Ireland Library Authority
Northern Ireland Local Government Officers' Superannuation Committee
Northern Ireland Medical and Dental Training Agency
Northern Ireland Museums Council
Northern Ireland Policing Board
Northern Ireland Policing Fund
Northern Ireland Practice and Education Council for Nursing and Midwifery
Northern Ireland Prisoner Ombudsman
Northern Ireland Screen
Northern Ireland Social Care Council
Northern Ireland Tourist Board
Northern Ireland, Department for Social Development
Northern Regional College
Patient and Client Council
Planning and Water Appeals Commission
Police Ombudsman Northern Ireland
Police Retraining and Rehabilitation Trust
Public Service Commission for Northern Ireland
Regional Agency for Public Health and Social Well Being
Regional Business Services Organisation
Regional Health and Social Care Board
Revenue Scotland
RUC George Cross Foundation
Scottish Fire and Rescue Service
South Eastern Health and Social Care Trust
South Eastern Regional College

Status: Point in time view as at 30/05/2023.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

South West College
Southern Health and Social Care Trust
Southern Regional College
Sport NI
Sport Wales
Staff Commission for Education and Library Boards
Statistics Advisory Committee
Stranmillis University College
Strategic Investment Board
The Charity Commission for Northern Ireland
The National Assembly for Wales Commission
The Welsh Revenue Authority
Ulster Supported Employment Limited
Victims and Survivors Service Ltd
Welsh Language Commissioner
Welsh NHS bodies
Western Health and Social Care Trust
Youth Council for Northern Ireland]

[^{F4}SCHEDULE 1A S

Regulation 2(1)

PARTIES TO THE GPA

Textual Amendments

F4 Sch. 1A inserted (11.6.2021) by [The Public Procurement \(Agreement on Government Procurement\) \(Amendment\) Regulations 2021 \(S.I. 2021/573\)](#), regs. 1(1), 5(7)

Armenia
Australia
Canada
European Union
Hong Kong, China
Iceland
Israel
Japan
Korea, Republic of
Liechtenstein
Moldova, Republic of
Montenegro
Netherlands with respect to Aruba

Status: Point in time view as at 30/05/2023.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

New Zealand
 Norway
 the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu
 Singapore
 Switzerland
 Ukraine
 United States]

SCHEDULE 2 **S**

Regulations 2(1) and 14(1)(a)(i)

ACTIVITIES CONSTITUTING WORKS

S

In this Schedule, ‘NACE Rev.1’ has the same meaning as in Council Regulation (EEC) No 3037/90 on the statistical classification of economic activities in the European Community ^{M1}[^{F5}as that Regulation had effect in EU law immediately before IP completion day], and numerical references in the columns relating to the NACE Rev.1 relate to the Annex to that Regulation. In the event of any difference of interpretation between the CPV and the NACE Rev.1, the CPV nomenclature shall apply.

<i>NACE Rev. 1</i>					<i>CPV Code</i>
SECTION F		CONSTRUCTION			
Division	Group	Class	Subject	Notes	
45			Construction	This division includes: —construction of new buildings and works, restoring and common repairs.	45000000
	45.1		Site preparation		45100000
		45.11	Demolition and wrecking of buildings; earth moving	This class includes: —demolition of buildings and other structures, —clearing of building sites, —earth moving: excavation, landfill, levelling and grading of construction sites, trench digging, rock removal, blasting, etc. —site preparation for mining, —overburden removal and other development	45110000

Status: Point in time view as at 30/05/2023.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

		and preparation of mineral properties and sites.	
		This class also includes: —building site drainage. —drainage of agricultural or forestry land.	
45.12	Test drilling and boring	This class includes: —test drilling, test boring and core sampling for construction, geophysical, geological or similar purposes. This class excludes: —drilling of production oil or gas wells, see 11.20. —water well drilling, see 45.25, —shaft sinking, see 45.25, —oil and gas field exploration, geophysical, geological and seismic surveying, see 74.20.	45120000
45.2	Building of complete constructions or parts thereof; civil engineering		45200000
45.21	General construction of buildings and civil engineering works	This class includes: —construction of all types of buildings construction of civil engineering constructions, —bridges, including those for elevated highways, viaducts, tunnels and subways, —long-distance pipelines, communication and power lines, —urban pipelines,	45210000 Except: —45213316 45220000 45231000 45232000

Status: Point in time view as at 30/05/2023.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

urban communication
and power lines,
—ancillary urban
works,
—assembly and erection
of prefabricated
constructions on the site.

This class excludes:
—service activities
incidental to oil and gas
extraction, see 11.20,
—erection of complete
prefabricated
constructions from self-
manufactured parts not
of concrete, see
divisions 20, 26 and 28,
—construction work,
other than buildings,
for stadiums, swimming
pools, gymnasiums,
tennis courts, golf
courses and other sports
installations, see 45.23,
—building installation,
see 45.3,
—building completion,
see 45.4,
—architectural and
engineering activities,
see 74.20,
—project management
for construction, see
74.20.

45.22	Erection of roof covering and frames	This class includes: —erection of roofs, —roof covering, —waterproofing.	45261000	
45.23	Construction of highways, roads, airfields and sport facilities	This class includes: —construction of highways, streets, roads, other vehicular and pedestrian ways, —construction of railways, —construction of airfield runways, —construction work, other than buildings, for stadiums, swimming pools, gymnasiums,	45212212 DA03 45230000 except: —45231000 —45232000 —45234115	and

Status: Point in time view as at 30/05/2023.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

		tennis courts, golf courses and other sports installations, —painting of markings on road surfaces and car parks.	
		This class excludes: —preliminary earth moving, see 45.11.	
45.24	Construction of water projects	This class includes: —construction of: —waterways, harbour and river works, pleasure ports (marinas), locks etc.; —dams and dykes, —dredging, —subsurface work.	45240000
45.25	Other construction work involving special trades	This class includes: —construction activities specialising in one aspect common to different kinds of structures, requiring specialised skill or equipment, —construction of foundations, including pile driving, —water well drilling and construction, shaft sinking, —erection of non-self-manufactured steel elements, —steel bending, —bricklaying and stone setting, —scaffolds and work platform erecting and dismantling, including renting of scaffolds and work platforms, —erection of chimneys and industrial ovens.	45250000 45262000
		This class excludes: —renting of scaffolds without erection and dismantling, see 71.32	

Status: Point in time view as at 30/05/2023.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

45.3	Building installation	45300000
45.31	Installation of electrical wiring and fittings	<p>This class includes: 45213316 installation in buildings and or other construction projects of: 45310000 Except: — —electrical wiring and fittings, 45316000 — [F6electronic communications networks] , —electrical heating systems, —residential antennas and aerials, —fire alarms, —burglar alarm systems, —lifts and escalators, —lightning conductors, etc.</p>
45.32	Insulation work activities	45320000
45.33	Plumbing	45330000
45.34	Other building installation	<p>This class includes: 45234115 —installation of illumination and signalling systems for 45316000 45340000</p>

Status: Point in time view as at 30/05/2023.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

		roads, railways, airports and harbours, —installation in buildings or other construction projects of fittings and fixtures n.e.c.	
45.4	Building completion		45400000
	45.41	Plastering This class includes: —application in buildings or other construction projects of interior and exterior plaster or stucco, including related lathing materials.	45410000
	45.42	Joinery installation This class includes: —installation of not self-manufactured doors, windows, door and window frames, fitted kitchens, staircases, shop fittings and the like, of wood or other materials, —interior completion such as ceilings, wooden wall coverings, movable partitions, etc. This class excludes: —laying of parquet and other wood floor coverings, see 45.43	45420000
	45.43	Floor and wall covering This class includes: —laying, tiling, hanging or fitting in buildings or other construction projects of: —ceramic, concrete or cut stone wall or floor tiles, —parquet and other wood floor coverings carpets and linoleum floor coverings, —including of rubber or plastic,	45430000

Status: Point in time view as at 30/05/2023.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

			—terrazzo, marble, granite or slate floor or wall coverings, —wallpaper.	
45.44	Painting and glazing	This class includes:	45440000	
		—interior and exterior painting of buildings, —painting of civil engineering structures, —installation of glass, mirrors, etc.		
		This class excludes:		
		—installation of windows, see 45.42.		
45.45	Other building completion	This class includes:	45212212 and DA04	
		—installation of private swimming pools, —steam cleaning, sand blasting and similar activities for building exteriors, —other building completion and finishing work n.e.c.	45450000	
		This class excludes:		
		—interior cleaning of buildings and other structures see 74.70.		
45.5	Renting of construction or demolition equipment with operator		45500000	
45.50	Renting of construction or demolition equipment with operator	This class excludes:	45500000	
		—renting of construction or demolition machinery and equipment without operators, see 71.32.		

Textual Amendments

- F5** Words in [sch. 2](#) inserted (31.12.2020) by [The Public Procurement etc. \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/468\)](#), regs. 1(2), **4(61)** (with sch. paras. 1-5)
- F6** Words in [sch. 2](#) substituted (28.12.2017) by [The Communications Act 2003 and the Digital Economy Act 2017 \(Consequential Amendments to Secondary Legislation\) Regulations 2017 \(S.I. 2017/1011\)](#), reg. 1(1), **Sch. 4 para. 56(2)**

Status: Point in time view as at 30/05/2023.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

Marginal Citations

- M1** OJ L 293, 24.10.1990, p.1; last amended by Regulation (EC) No 1893/2006 of the European Parliament and of the Council (OJ L 393, 30.12.2006, p.1).

Textual Amendments

- F5** Words in *sch. 2* inserted (31.12.2020) by [The Public Procurement etc. \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/468\)](#), regs. 1(2), **4(61)** (with *sch. paras. 1-5*)
- F6** Words in *sch. 2* substituted (28.12.2017) by [The Communications Act 2003 and the Digital Economy Act 2017 \(Consequential Amendments to Secondary Legislation\) Regulations 2017 \(S.I. 2017/1011\)](#), reg. 1(1), **Sch. 4 para. 56(2)**

Marginal Citations

- M1** OJ L 293, 24.10.1990, p.1; last amended by Regulation (EC) No 1893/2006 of the European Parliament and of the Council (OJ L 393, 30.12.2006, p.1).

SCHEDULE 3 **S**

Regulation 74

SOCIAL AND OTHER SPECIFIC SERVICES

<i>CPV Code</i>	<i>Description</i>
75200000-8; 75231200-6; 75231240-8; 79611000-0; 79622000-0 (Supply services of domestic help personnel); 79624000-4 (Supply services of nursing personnel) and 79625000-1 (Supply services of medical personnel) from 85000000-9 to 85323000-9; 98133100-5, 98133000-4; 98200000-5; 98500000-8 (Private households with employed persons) and 98513000-2 to 98514000-9 (Manpower services for households, Agency staff services for households, Clerical staff services for households, Temporary staff for households, Home-help services and Domestic services)	Health, social and related services
85321000-5 and 85322000-2, 75000000-6 (Administration, defence and social security services), 75121000-0, 75122000-7, 75124000-1; from 79995000-5 to 79995200-7; from 80000000-4 Education and training services to 80660000-8; from 92000000-1 to 92700000-8; 79950000-8 (Exhibition, fair and congress organisation services), 79951000-5 (Seminar organisation services), 79952000-2 (Event services), 79952100-3 (Cultural event organisation services), 79953000-9 (Festival organisation services), 79954000-6 (Party organisation services), 79955000-3 (Fashion	Administrative social, educational, healthcare and cultural services

Status: Point in time view as at 30/05/2023.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

shows organisation services), 79956000-0 (Fair and exhibition organisation services)	
75300000-9	Compulsory social security services
75310000-2, 75311000-9, 75312000-6, 75313000-3, 75313100-4, 75314000-0, 75320000-5, 75330000-8, 75340000-1	Benefit services
98000000-3; 98120000-0; 98132000-7; 98133110-8 and 98130000-3	Other community, social and personal services including services furnished by trade unions, political organisations, youth associations and other membership organisation services
98131000-0	Religious services
55100000-1 to 55410000-7; 55521000-8 to 55521200-0 (55521000-8 Catering services for private households, 55521100-9 Meals-on-wheels services, 55521200-0 Meal delivery service) 55520000-1 Catering services, 55522000-5 Catering services for transport enterprises, 55523000-2 Catering services for other enterprises or other institutions, 55524000-9 School catering services 55510000-8 Canteen services, 55511000-5 Canteen and other restricted-clientele cafeteria services, 55512000-2 Canteen management services, 55523100-3 School-meal services	Hotel and restaurant services
79100000-5 to 79140000-7; 75231100-5;	Legal services, to the extent not excluded by regulation 11(1)(e)
75100000-7 to 75120000-3; 75123000-4; 75125000-8 to 75131000-3	Other administrative services and government services
75200000-8 to 75231000-4	Provision of services to the community
75231210-9 to 75231230-5; 75240000-0 To 75252000-7; 794300000-7; 98113100-9	Prison related services, public security and rescue services to the extent not excluded by regulation 11(1)(k)
79700000-1 to 79721000-4 (Investigation and security services, Security services, Alarm-monitoring services, Guard services, Surveillance services, Tracing system services, Absconder-tracing services, Patrol services, Identification badge release services, Investigation services and Detective agency services) 79722000-1(Graphology services), 79723000-8 (Waste analysis services)	Investigation and security services
98900000-2 (Services provided by extra-territorial organisations and bodies) and 98910000-5 (Services specific to international organisations and bodies)	International services

Status: Point in time view as at 30/05/2023.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

64000000-6 (Postal and telecommunications services), 64100000-7 (Post and courier services), 64110000-0 (Postal services), 64111000-7 (Postal services related to newspapers and periodicals), 64112000-4 (Postal services related to letters), 64113000-1 (Postal services related to parcels), 64114000-8 (Post office counter services), 64115000-5 (Mailbox rental), 64116000-2 (Post-restante services), 64122000-7 (Internal office mail and messenger services)

50116510-9 (Tyre-remoulding services), Miscellaneous services
71550000-8 (Blacksmith services)

SCHEDULE 4 **S**

Regulation 5(2)

LIST OF PRODUCTS RELEVANT TO THRESHOLDS

S

The products covered by this Schedule are those specified in the following chapters of the Combined Nomenclature (CN) ^{M2}:

Chapter 25:	Salt, sulphur, earths and stone, plastering materials, lime and cement
Chapter 26:	Metallic ores, slag and ash
Chapter 27:	Mineral fuels, mineral oils and products of their distillation, bituminous substances, mineral waxes except: ex 27.10: special engine fuels
Chapter 28:	Inorganic chemicals, organic and inorganic compounds of precious metals, of rare-earth metals, of radioactive elements and isotopes except: ex 28.09: explosives ex 28.13: explosives ex 28.14: tear gas ex 28.28: explosives ex 28.32: explosives ex 28.39: explosives ex 28.50: toxic products ex 28.51: toxic products ex 28.54: explosives

- Chapter 29: Organic chemicals
except:
ex 29.03: explosives
ex 29.04: explosives
ex 29.07: explosives
ex 29.08: explosives
ex 29.11: explosives
ex 29.12: explosives
ex 29.13: toxic products
ex 29.14: toxic products
ex 29.15: toxic products
ex 29.21: toxic products
ex 29.22: toxic products
ex 29.23: toxic products
ex 29.26: explosives
ex 29.27: toxic products
ex 29.29: explosive
- Chapter 30: Pharmaceutical products
- Chapter 31: Fertilisers
- Chapter 32: Tanning and dyeing extracts, tanning and their derivatives, dyes, colours, paints and varnishes, putty, fillers and stoppings, inks
- Chapter 33: Essential oils and resinoids, perfumery, cosmetic or toilet preparations
- Chapter 34: Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing and scouring preparations, candles and similar articles, modelling pastes and 'dental waxes'
- Chapter 35: Albuminoidal substances, glues, enzymes
- Chapter 37: Photographic and cinematographic goods
- Chapter 38: Miscellaneous chemical products,
except:
ex 38.19: toxic products
- Chapter 39: Artificial resins and plastic materials, celluloses esters and ethers, articles thereof, except:
ex 39.03: explosives
- Chapter 40: Rubber, synthetic rubber, factice, and articles thereof,
except:
ex 40.11: bullet-proof tyres

Status: Point in time view as at 30/05/2023.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

- Chapter 41: Raw hides and skins (other than fur skins) and leather
- Chapter 42: Articles of leather, saddlery and harness, travel goods, handbags and similar containers, articles of animal gut (other than silk-worm gut)
- Chapter 43: Fur skins and artificial fur, manufacturers thereof
- Chapter 44: Wood and articles of wood, wood charcoal
- Chapter 45: Cork and articles of cork
- Chapter 46: Manufactures of straw of esparto and of other plaiting materials, basketware and wickerwork
- Chapter 47: Paper-making material
- Chapter 48: Paper and paperboard, articles or paper pulp, of paper or of paperboard
- Chapter 49: Printed books, newspapers, pictures and other products of the printing industry, manuscripts, typescripts and plans
- Chapter 65: Headgear and parts thereof
- Chapter 66: Umbrellas, sunshades, walking-sticks, whips, riding-crops and parts thereof
- Chapter 67: Prepared feathers and down and articles made of feathers or of down, artificial flowers, articles of human hair
- Chapter 68: Articles of stone, of plaster, of cement, of asbestos, of mica and of similar materials
- Chapter 69: Ceramic products
- Chapter 70: Glass and glassware
- Chapter 71: Pearls, precious and semi-precious stones, precious metals, rolled precious metals, and articles thereof; imitation jewellery
- Chapter 73: Iron and steel and articles thereof
- Chapter 74: Copper and articles thereof
- Chapter 75: Nickel and articles thereof
- Chapter 76: Aluminium and articles thereof
- Chapter 77: Magnesium and beryllium and articles thereof
- Chapter 78: Lead and articles thereof
- Chapter 79: Zinc and articles thereof
- Chapter 80: Tin and articles thereof
- Chapter 81: Other base metals employed in metallurgy and articles thereof
- Chapter 82: Tools, implements, cutlery, spoons and forks, of base metal, parts thereof, except:
 - ex 82.05: tools
 - ex 82.07: tools, parts
- Chapter 83: Miscellaneous articles of base metal
- Chapter 84: Boilers, machinery and mechanical appliances, parts thereof, except:

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

- ex 84.06: engines
- ex 84.08: other engines
- ex 84.45: machinery
- ex 84.53: automatic data-processing machines
- ex 84.55: parts of machines under heading No 84.53
- ex 84.59: nuclear reactors
- Chapter 85: Electrical machinery and equipment, parts thereof,
except:
 - ex 85.13: telecommunication equipment
 - ex 85.15: transmission apparatus
- Chapter 86: Railway and tramway locomotives, rolling-stock and parts thereof, railway and tramway tracks fixtures and fittings, traffic signalling equipment of all kinds (not electrically powered),
except
 - ex 86.02: armoured locomotives, electric
 - ex 86.03: other armoured locomotives
 - ex 86.05: armoured wagons
 - ex 86.06: repair wagons
 - ex 86.07: wagons
- Chapter 87: Vehicles, other than railway or tramway rolling-stock, and parts thereof, except:
 - ex 87.08: tanks and other armoured vehicles
 - ex 87.01: tractors
 - ex 87.02: military vehicles
 - ex 87.03: breakdown lorries
 - ex 87.09: motorcycles
 - ex 87.14: trailers
- Chapter 89: Ships, boats and floating structures,
except:
 - ex 89.01A: warships
- Chapter 90: Optical, photographic, cinematographic, measuring, checking, precision, medical and surgical instruments and apparatus, parts thereof,
except:
 - ex 90.05: binoculars
 - ex 90.13: miscellaneous instruments, lasers
 - ex 90.14: telemeters
 - ex 90.28: electrical and electronic measuring instruments

Status: Point in time view as at 30/05/2023.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

	ex 90.11: microscopes
	ex 90.17: medical instruments
	ex 90.18: mechano-therapy appliances
	ex 90.19: orthopaedic appliances
	ex 90.20: X-ray apparatus
Chapter 91:	Manufacture of watches and clocks
Chapter 92:	Musical instruments, sound recorders and reproducers, television image and sound recorders or reproducers, parts and accessories of such articles
Chapter 94:	Furniture and parts thereof, bedding, mattresses, mattress supports, cushions and similar stuffed furnishings, except: ex 94.01A: aircraft seats
Chapter 95:	Articles and manufactures of carving or moulding material
Chapter 96:	Brooms, brushes, powder-puffs and sieves
Chapter 98:	Miscellaneous manufactured articles

Marginal Citations

M2 The references in this Schedule are derived from Annex 4 to the EU's Appendix 1 to the GPA (for which see the footnote to the definition of 'GPA' in regulation 2(1)).

Marginal Citations

M2 The references in this Schedule are derived from Annex 4 to the EU's Appendix 1 to the GPA (for which see the footnote to the definition of 'GPA' in regulation 2(1)).

[^{F7}SCHEDULE 4A S

Regulation 26B and 87B

INTERNATIONAL TRADE AGREEMENTS

Textual Amendments

F7 Sch. 4A inserted (2.7.2021) by [The Public Procurement \(International Trade Agreements\) \(Amendment\) Regulations 2021 \(S.I. 2021/787\)](#), regs. 1(1), **5(4)**

Agreement establishing an Association between the United Kingdom of Great Britain and Northern Ireland and the Republic of Chile, signed at Santiago on 30th January 2019.

Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and the Swiss Confederation, signed at Bern on 11th February 2019.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

Trade and Partnership Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the State of Israel, signed at Tel Aviv on 18th February 2019.

Economic Partnership Agreement between the CARIFORUM States, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, signed in St Lucia on 22nd March 2019.

Trade Agreement between the United Kingdom of Great Britain and Northern Ireland, of the one part, and the Republic of Colombia, the Republic of Ecuador and the Republic of Peru, of the other part, signed at Quito on 15th May 2019.

Agreement Establishing an Association between the United Kingdom of Great Britain and Northern Ireland and Central America, signed at Managua on 18th July 2019.

Free Trade Agreement between the United Kingdom of Great Britain and Northern Ireland, of the one part, and the Republic of Korea, of the other part, signed at London on 22nd August 2019.

Strategic Partnership and Cooperation Agreement between the United Kingdom of Great Britain and Northern Ireland and Georgia, signed at London on 21st October 2019.

Partnership, Trade and Cooperation Agreement between the United Kingdom of Great Britain and Northern Ireland and the Republic of Kosovo, signed at Pristina on 3rd December 2019.

Political, Free Trade and Strategic Partnership Agreement between the United Kingdom of Great Britain and Northern Ireland and Ukraine, signed at London on 8th October 2020.

Agreement between the United Kingdom of Great Britain and Northern Ireland and Japan for a Comprehensive Economic Partnership, signed at Tokyo on 23rd October 2020.

Partnership, Trade and Cooperation Agreement between the United Kingdom of Great Britain and Northern Ireland and the Republic of North Macedonia, signed at Skopje on 3rd December 2020.

Agreement on Trade Continuity between the United Kingdom of Great Britain and Northern Ireland and Canada, signed at Ottawa on 9th December 2020.

Free Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and the Republic of Singapore, signed at Singapore on 10th December 2020.

Trade Continuity Agreement between the United Kingdom of Great Britain and Northern Ireland and the United Mexican States, signed at Mexico City on 15th December 2020.

Strategic Partnership, Trade and Cooperation Agreement between the United Kingdom of Great Britain and Northern Ireland and the Republic of Moldova, signed at Chisnau on 24th December 2020.

Free Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and the Socialist Republic of Viet Nam, signed at London on 29th December 2020.

Partnership, Trade and Cooperation Agreement between the United Kingdom of Great Britain and Northern Ireland and the Republic of Albania, signed at Tirana on 5th February 2021.

Partnership, Trade and Cooperation Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Serbia, signed at Belgrade on 16th April 2021.

[^{F8}Free Trade Agreement between Iceland, the Principality of Liechtenstein and the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland, signed at London on 8th July 2021.]]

Status: Point in time view as at 30/05/2023.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

Textual Amendments

- F8** Words in [sch. 4A](#) inserted (27.6.2022) by [The Public Procurement \(International Trade Agreements\) \(Amendment\) Regulations 2022 \(S.I. 2022/766\)](#), regs. 1(1), **5(3)** (with reg. 9)

[^{F9}Free Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and Australia, signed at London on 16th December 2021 and Adelaide on 17th December 2021.

Textual Amendments

- F9** Words in [sch. 4A](#) inserted (30.5.2023) by [The Public Procurement \(Miscellaneous Amendments\) \(Scotland\) Regulations 2023 \(S.S.I. 2023/124\)](#), regs. 2, **4(18)** (with reg. 3)

Free Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and New Zealand, signed at London on 28th February 2022.]

^{F10}SCHEDULE 5 **S**

Regulations 59(5)

Textual Amendments

- F10** [Sch. 5](#) omitted (31.12.2020) by virtue of [The Public Procurement etc. \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/468\)](#), regs. 1(2), **4(62)** (with sch. paras. 1-5)

SCHEDULE 6 **S**

Regulation 97(2)

CONSEQUENTIAL AND MISCELLANEOUS AMENDMENTS

PART 1 **S**

MODIFICATIONS TO PRIMARY LEGISLATION

Late Payment of Commercial Debts (Interest) Act 1998 **S**

1.—(1) The Late Payment of Commercial Debts (Interest) Act 1998 ^{M3} is amended as follows.

(2) In section 4(8) ^{M4} (period for which statutory interest runs), in the definition of “public authority” for “regulation 3 of the Public Contracts (Scotland) Regulations 2012” substitute “regulation 2(1) of the Public Contracts (Scotland) Regulations 2015”.

Marginal Citations

- M3** 1998 c.20.
M4 [Section 4](#) relevantly amended by [S.S.I. 2013/77](#), [regulation 2\(6\)](#).

Status: Point in time view as at 30/05/2023.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

Procurement Reform (Scotland) Act 2014 **S**

2.—(1) The Procurement Reform (Scotland) Act 2014 ^{M5} is amended as follows.

(2) In section 4(1), for “mentioned in paragraph (1) or (2) of regulation 6 of the Public Contract Regulations” substitute “ to which Public Contracts Regulations do not apply by virtue of regulation 4 or 7 to 18 of those regulations ”.

(3) In section 11(3) for “supported employment programme or supported factory within the meaning regulation 7” substitute “ or supported employment programme within the meaning of regulation 21 ”.

(4) In section 41(1) (the Directive, Public Contracts Regulations and EU regulated procurements)

(a) In paragraph (a), for “Directive [2004/18/EC](#)” substitute “ Directive 2014/24/EU ”;

(b) In paragraph (b) for “Public Contracts (Scotland) Regulations 2012 (S.S.I. 2012/88)” substitute “Public Contracts (Scotland) Regulations 2015 (S.S.I. 2015/XX);

(c) in paragraph (c) omit “by virtue of regulation 5(1)”.

Marginal Citations

M5 2014 asp. 12.

Small Business, Enterprise and Employment Act 2015 **S**

3.—(1) The Small Business, Enterprise and Employment Act 2015 ^{M6} is amended as follows.

(2) In section 40(5)(investigation of procurement functions) in the definition of “a relevant function relating to procurement”, in paragraph (c)—

(a) for “Public Contracts (Scotland) Regulations 2012 (S.I. 2012/88)” substitute “ Public Contracts (Scotland) Regulations 2015 ”; and

(b) for “regulation 8” substitute “ regulation 5 ”.

Marginal Citations

M6 2015 c.26.

PART 2 **S**

MODIFICATIONS TO SUBORDINATE LEGISLATION

Bathing Waters (Scotland) Regulations 2008 **S**

4.—(1) The Bathing Waters (Scotland) Regulations 2008 ^{M7} are amended as follows.

(2) In regulation 2 ^{M8} (interpretation), in the definition of “public body”, for the “Public Contracts (Scotland) Regulations 2012” substitute “ Public Contracts (Scotland) Regulations 2015 ”.

Marginal Citations

M7 S.S.I. 2008/170.

Status: Point in time view as at 30/05/2023.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

M8 Regulation 2 relevantly amended by S.S.I. 2012/88, [schedule 7\(B\)](#), paragraph 1.

Cleaner Road Transport Vehicles (Scotland) Regulations 2010 **S**

5.—(1) The Cleaner Road Transport Vehicles (Scotland) Regulations 2010 ^{M9} are amended as follows.

- (2) In regulation 2 ^{M10} (interpretation) in the definition of—
- (a) “contracting authority” for “regulation 3 of the Public Contracts (Scotland) Regulations 2012” substitute “ regulation 2(1) of the Public Contracts (Scotland) Regulations 2015 ”; and
 - (b) “operator” for “regulation 8 of the Public Contracts (Scotland) Regulations 2012” substitute “ regulation 5 of the Public Contracts (Scotland) Regulations 2015 ”.
- (3) In regulation 6(1)(a) ^{M11} (enforcement of duties) for “Part 9 of the Public Contracts (Scotland) Regulations 2012” substitute “ Chapter 6 of Part 3 of the Public Contracts (Scotland) Regulations 2015 ”.

Marginal Citations

M9 S.S.I. 2010/390.

M10 Regulation 2 relevantly amended by S.S.I. 2012/88, [schedule 7\(B\)](#), paragraph 1.

M11 Regulation 6(1)(a) amended by S.S.I. 2012/88, [schedule 7\(B\)](#), paragraph 1.

Defence and Security Public Contracts Regulations 2011 **S**

6.—(1) The Defence and Security Public Contracts Regulations 2011 ^{M12} are amended as follows.

(2) In regulation 3(1) ^{M13} (interpretation), in the definition of “central purchasing body”, for “regulation 3 of the Public Contracts (Scotland) Regulations 2012” substitute “ regulation 2(1) of the Public Contracts (Scotland) Regulations 2015 ”.

(3) In regulation 4(b) ^{M14} (contracting authorities), for “regulation 3 of the Public Contracts (Scotland) Regulations 2012” substitute “ regulation 2(1) of the Public Contracts (Scotland) Regulations 2015 ”.

(4) In regulation 6 ^{M15} (application), for “the Public Contracts (Scotland) Regulations 2012”, in each place it occurs, substitute “ the Public Contracts (Scotland) Regulations 2015 ”.

(5) In regulations 16(2)(b) ^{M16} (use of the negotiated procedure without prior publication of a contract notice), 31(9)(b) ^{M17} (criteria for the award of a contract) and 33(14)(b) ^{M18} (information about contract award procedures) for heads (ii) and (iii), in each place they occur, substitute—

- “(ii) a “body governed by public law” within the meaning of regulation 2(1) of the Public Contracts (Scotland) Regulations 2015 and the Secretary of State for Defence is the authority referred to in any of the sub-paragraphs (a) to (c) of that definition for that body or the financing, supervisory or appointing body, or
- (iii) an association formed by either the Secretary of State for Defence or one or more bodies governed by public law within the meaning of (i) or (ii).”.

(6) In regulation 46(3) ^{M19} both paragraphs (b) substitute—

- “(b) a “body governed by public law” within the meaning of regulation 2(1) of the Public Contracts (Scotland) Regulations 2015 and the Secretary of State for Defence is the

Status: Point in time view as at 30/05/2023.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

authority referred to in any of the sub-paragraphs (a) to (c) of that definition for that body or the financing, supervisory or appointing body, or

- (c) an associated formed by either the Secretary of State for Defence or one or more bodies governed by public law within the meaning of (a) or (b).”.

Marginal Citations

M12 S.I. 2011/1848.

M13 Regulation 3(1) relevantly amended by S.S.I. 2012/88, **schedule 7(B)**, paragraph 1.

M14 Regulation 4(b) amended by S.S.I. 2012/88, **schedule 7(B)**, paragraph 1.

M15 Regulation 6 relevantly amended by S.S.I. 2012/88, **schedule 7(B)**, paragraph 1.

M16 Regulation 16(2)(b) relevantly amended by S.I. 2015/102, **schedule 6(2)**, paragraph 19(8).

M17 Regulation 31(9)(b) relevantly amended by S.I. 2015/102, **schedule 6(2)**, paragraph 19(8).

M18 Regulation 33(14)(b) relevantly amended by S.I. 2015/102, **schedule 6(2)**, paragraph 19(8).

M19 Regulation 46(3) relevantly amended by S.I. 2015/102, **schedule 6(2)**, paragraph 19(10).

Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 **S**

7.—(1) The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 ^{M20} are amended as follows.

(2) In regulation 9(4) (duty to consider award criteria and conditions in relation to public procurement), for both references to “Public Contracts (Scotland) Regulations 2012” substitute “Public Contracts (Scotland) Regulations 2015”.

Marginal Citations

M20 S.S.I. 2012/162.

Utilities Contracts (Scotland) Regulations 2012 **S**

8.—(1) The Utilities Contracts (Scotland) Regulations 2012 ^{M21} are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of “contracting authority” for “regulation 3 of the Public Contracts (Scotland) Regulations 2012” substitute “ regulation 2(1) of the Public Contracts (Scotland) Regulations 2015 ”

(3) In regulation 5 (application) for the “Public Contracts (Scotland) Regulations 2012”, in each place it occurs, substitute “ Public Contracts (Scotland) Regulations 2015 ”.

(4) In regulation 21(2) (central purchasing bodies) for the “Public Contracts (Scotland) Regulations 2012” substitute “ Public Contracts (Scotland) Regulations 2015 ”.

Marginal Citations

M21 S.S.I. 2012/89.

Energy Efficiency (Eligible Buildings) Regulations 2013 **S**

9.—(1) The Energy Efficiency (Eligible Buildings) Regulations 2013 ^{M22} are amended as follows.

(2) In regulation 2 (interpretation), in the definition of “public bodies”, in paragraph (b), for “ ‘contracting authorities’ as defined in regulation 3 of Public Contracts (Scotland) Regulations

Status: Point in time view as at 30/05/2023.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

2012” substitute “any ‘contracting authority’ as defined in regulation 2(1) of the Public Contracts (Scotland) Regulations 2015”.

Marginal Citations

M22 [S.I. 2013/3220](#).

Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013 **S**

10.—(1) The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013 ^{M23} is amended as follows.

(2) For paragraph 10 (public procurement) of schedule 3 (exclusions of section 4(2)(a) and (b) of the act), substitute—

“(1) Any question asked by or on behalf of a contracting authority or contracting entity in relation to a conviction specified in regulation 58 of the Public Contracts (Scotland) Regulations 2015 which is a spent conviction (or any circumstances ancillary to such a conviction) for the purpose of determining whether or not a person is to be excluded—

- (a) for the purposes of regulation 58 of the Public Contracts (Scotland) Regulations 2015 or regulation 26 of the Utilities Contracts (Scotland) Regulations 2012; or
- (b) from participation in a design contest for the purposes of [^{F11}regulation 79] of the Public Contracts (Scotland) Regulations 2015 or regulation 34 of the Utilities Contracts (Scotland) Regulations 2012,

where the person questioned is informed at the time the question is asked that, by virtue of this Order, convictions within the meaning of regulation 58 of the Public Contracts (Scotland) Regulations 2015, which are spent convictions, are to be disclosed.

(2) For the purposes of contract award procedures or design contests commenced before 18th April 2016 and on or after 1st May 2012, the references in sub-paragraph (1) to [^{F11}regulations 58 and 79] of the Public Contracts (Scotland) Regulations 2015 are to be read as references to regulations 23 and 33 of the Public Contracts (Scotland) Regulations 2012 ^{M24}.

(3) For the purposes of sub-paragraph (2), the commencement of a contract award procedure or design contest is to be interpreted in accordance with—

- (a) regulation 98(2) (transitional provision and savings where procurement procedure commenced before 18th April 2016) and 99(2) (transitional provision and saving where utilities procurement procedures commenced before 18th April 2016) of the Public Contracts (Scotland) Regulations 2015;
- (b) regulation 52(2) of the Public Contracts (Scotland) Regulations 2012; and
- (c) regulation 49(2) of the Utilities Contracts (Scotland) Regulations 2012.

(4) For the purposes of contract award procedures or design contests commenced before 1st May 2012—

- (a) the references in sub-paragraph (1) to regulations 58 and 79 of the Public Contracts (Scotland) Regulations 2015 are to be read as references to regulations 23 and 33 of the Public Contracts (Scotland) Regulations 2006 ^{M25}, and
- (b) the references in sub-paragraph (1) to regulations 26 and 34 of the Utilities Contracts (Scotland) Regulations 2012 are to be read as references to regulations 26 and 34 of the Utilities Contracts (Scotland) Regulations 2006 ^{M26}.

Status: Point in time view as at 30/05/2023.

Changes to legislation: The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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)

(5) For the purposes of sub-paragraph (4), the commencement of a contract award procedure or design contest is to be interpreted in accordance with—

- (a) regulation 52(2) of the Public Contracts (Scotland) Regulations 2012; and
- (b) regulation 49(2) of the Utilities Contracts (Scotland) Regulations 2012.”

Textual Amendments

F11 Words in sch. 6 para. 10(2) substituted (18.4.2016) by The Public Contracts (Scotland) Amendment Regulations 2016 (S.S.I. 2016/47), regs. 1, 2(10)

Marginal Citations

M23 S.S.I. 2013/50.

M24 S.S.I. 2012/88, repealed by regulation 98 of these Regulations, subject to the savings and transitional provisions in regulations 99 and 100 of these Regulations.

M25 S.S.I. 2006/1, repealed by S.S.I. 2012/88, **schedule 7(A), paragraph 1**, subject to savings and transitional provisions in regulation 52 of those Regulations. Regulation 23 amended by S.I. 2007/2157, **schedule 6(2), paragraph 12**; S.S.I. 2008/94 regulation 2(7)(a)(b) and (c); S.S.I. 2009/428 regulation 2(8)(a) and (b). Regulation 33 amended by S.S.I. 2007/565, **regulation 2(5)(a)**, (b) and (c); S.S.I. 2008/94, **regulation 2(1)**; S.S.I. 2009/428 regulation 2(10)(a) and (b).

M26 S.S.I. 2006/2, repealed by S.S.I. 2012/89, **schedule 5(A), paragraph 1**, subject to savings and transitional provisions in regulation 49 of those Regulations. Regulation 26 amended by S.I. 2007/2157, **schedule 6(2), paragraph 13**; S.S.I. 2009/428, **regulation 4(5)(a)** and (b). Regulation 34 amended by S.S.I. 2008/94, **regulation 3(6)(a)(b)** and (c); S.S.I. 2009/428 regulation 4(9)(a) and (b); S.I. 2011/2053, regulation 30(2)(c) and (d).

Energy Savings Opportunity Scheme Regulations 2014 **S**

11.—(1) The Energy Saving Opportunity Scheme Regulations 2014^{M27} are amended as follows.

(2) In regulation 16(2)(b)(ii)^{M28} (excluded undertakings) for “regulation 3 of the Public Contracts (Scotland) Regulations 2012” substitute “ regulation 2(1) of the Public Contracts (Scotland) Regulations 2015 ”.

Marginal Citations

M27 S.I. 2014/1643.

M28 To which there are amendments not relevant to these Regulations.

Status:

Point in time view as at 30/05/2023.

Changes to legislation:

The Public Contracts (Scotland) Regulations 2015 is up to date with all changes known to be in force on or before 19 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.