

## SCHEDULE

### TRANSITIONAL AND SAVINGS PROVISIONS

#### PART 3

#### PROVISIONS COMMENCED ON IP COMPLETION DAY

##### **Saving of implied power to terminate contracts**

- 7.—(1) This paragraph applies where—
- (a) a contract was awarded before IP completion day, and
  - (b) immediately before IP completion day, the contract contained a power—
    - (i) implied by regulation 73(3) of the Public Contracts (Scotland) Regulations 2015 to terminate the contract on the ground mentioned in regulation 73(1)(c) of those Regulations,
    - (ii) implied by regulation 47(3) of the Concession Contracts (Scotland) Regulations 2016 to terminate the contract on the ground mentioned in regulation 47(1)(c) of those Regulations, or
    - (iii) implied by regulation 87(3) of the Utilities Contracts (Scotland) Regulations 2016 to terminate the contract on the ground mentioned in regulation 87(1)(c) of those Regulations.
- (2) On and after IP completion day, that power continues despite the omission, by these Regulations, of regulations 73(1)(c), 47(1)(c) or 87(1)(c), as the case may be.