
SCOTTISH STATUTORY INSTRUMENTS

2023 No. 124

The Public Procurement (Miscellaneous Amendments) (Scotland) Regulations 2023

PART 2

Amendments

Concession Contracts (Scotland) Regulations 2016

6.—(1) The Concession Contracts (Scotland) Regulations 2016⁽¹⁾ are amended as follows.

(2) In regulation 8 (thresholds and methods for calculating the estimated value of the concession contract), after paragraph (1) insert—

“(1A) The contracting entity must—

- (a) calculate in accordance with the following paragraphs the estimated value of a concession contract; or
- (b) if it is not possible to calculate the estimated value of a contract, take its estimated value to be equal to the threshold mentioned in paragraph (1).”

(3) In regulation 47 (termination of concession contract), after paragraph (3) insert—

“(4) A contracting entity must not terminate a concession contract in a manner that circumvents the obligations under these Regulations.”

(4) In schedule 5 (international trade agreements), after the last entry (for the Principality of Liechtenstein and the Kingdom of Norway), insert—

“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.

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