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DRAFT STATUTORY INSTRUMENTS

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**2023 No.**

**The Public Service Obligations in Transport Regulations 2023**

**PART 2**

**Content of public service contracts**

**Subcontracting**

**8.—**(1) A competent authority's tender documents and public service contracts must clearly indicate—

- (a) whether subcontracting is permitted, and
- (b) the extent, if any, to which the public service operator is permitted to subcontract.

(2) Where a public service contract provides that subcontracting is permitted, that contract must set out the conditions applicable to subcontracting.

(3) Except where paragraph (4) applies, a public service contract must require the public service operator to perform a major part of the public passenger transport services itself.

(4) Where a public service contract entrusts an operator with the design, construction and operation of public passenger transport services, that contract may permit the operator to subcontract the whole of the operation of those services.