



Defence Reform Act 2014

2014 CHAPTER 20

PART 2

SINGLE SOURCE CONTRACTS

Qualifying defence contracts

14 Regulations relating to qualifying defence contracts

- (1) The Secretary of State may by regulations under this Part (“single source contract regulations”) make provision in relation to qualifying defence contracts.
- (2) For the purposes of this Part, a contract is a “qualifying defence contract” if—
 - (a) it is a contract under which the Secretary of State procures goods, works or services for defence purposes from another person (a “primary contractor”),
 - (b) the value of the contract is of or above the amount specified in single source contract regulations,
 - (c) the contract does not fall within a description specified in the regulations, and
 - (d) subsection (3), (4) or (5) applies to the contract.
- (3) This subsection applies to a contract if—
 - (a) the contract is entered into on or after the relevant date, and
 - (b) the award of the contract is not the result of a competitive process.
- (4) This subsection applies to a contract if—
 - (a) the contract was entered into before the relevant date,
 - (b) the award of the contract was not the result of a competitive process,
 - (c) the contract is amended on or after that date, and
 - (d) in amending the contract, the Secretary of State and the primary contractor agree that it is to be a qualifying defence contract.
- (5) This subsection applies to a contract, whether entered into before or after the relevant date, if—

Status: This is the original version (as it was originally enacted).

- (a) the award of the contract is the result of a competitive process,
 - (b) the contract is amended on or after the relevant date,
 - (c) the amendment is not the result of a competitive process, and
 - (d) in amending the contract, the Secretary of State and the primary contractor agree that it is to be a qualifying defence contract.
- (6) Single source contract regulations must make provision for determining whether the award, or amendment, of a contract is the result of a competitive process.
- (7) The Secretary of State may direct that a particular contract to which subsection (3) applies is not a qualifying defence contract even though the contract otherwise meets the requirements of subsection (2).
- (8) In this section, “defence purposes” has the meaning given by the regulations.
- (9) In this Part—
- (a) “relevant date” means the date on which the first single source contract regulations come into force;
 - (b) references to “single source contract regulations” are to be read in accordance with subsection (1);
 - (c) references to a “primary contractor” are to be read in accordance with subsection (2)(a).