

*Status: This version of this provision is prospective.*

**Changes to legislation:** Procurement Act 2023, Paragraph 17 is up to date with all changes known to be in force on or before 09 July 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) View outstanding changes

## SCHEDULES

PROSPECTIVE

### SCHEDULE 5

#### DIRECT AWARD JUSTIFICATIONS

##### *User choice contracts*

- 17 The conditions are that—
- (a) the individual to whom the services are to be supplied or their carer has expressed a preference as to who should supply the services, or the nature of the services to be supplied is such that only one supplier is capable of providing them, and
  - (b) the contracting authority considers that it is not in the best interests of the individual to award the contract under section 19.

##### **Commencement Information**

- II** Sch. 5 para. 17 not in force at Royal Assent, see [s. 127\(2\)](#)

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[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Sch. 5 para. 17 coming into force by [S.I. 2024/716 Sch.](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act excluded by [S.I. 2024/692 reg. 43](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 115A inserted by [S.I. 2024/692 reg. 47\(3\)](#)
- Sch. 9A inserted by [S.I. 2024/692 reg. 47\(4\)](#)