
STATUTORY INSTRUMENTS

2011 No. 1848

The Defence and Security Public Contracts Regulations 2011

PART 3

PROCEDURES LEADING TO THE AWARD OF A CONTRACT

Prior information notices

14.—(1) Subject to paragraphs (5) and (6), a contracting authority shall send a notice in the form of a prior information notice to the Commission or publish it on that contracting authority's buyer profile at the earliest opportunity after the decision approving the project for which the contracting authority intends to award contracts or framework agreements.

(2) The notice referred to in paragraph (1) shall contain information in respect of—

- (a) the supply contracts, the services contracts or the framework agreements for the purchase or hire of goods or for the provision of services which the contracting authority expects to award or conclude during the period of 12 months beginning with the date of the notice; and
- (b) the works contracts or the framework agreements for the carrying out of work or works which the contracting authority expects to award or conclude;

and that notice shall be sub-divided to give that information separately for each product area of goods by reference to the main vocabulary group CPV nomenclature of each product area of goods and for each class of works or category of services as specified in Schedules 1 and 2.

(3) Where a contracting authority publishes a notice on its buyer profile in accordance with paragraph (1), it shall also send a notice in the form of a notice on a buyer profile informing the Commission by electronic means in accordance with the format and procedure for sending notices specified in paragraph (3) of Annex VI to the Defence and Security Procurement Directive of that publication.

(4) A notice on a buyer profile sent to the Commission must—

- (a) subject to sub-paragraph (b), contain the information specified in Annex IV to the Defence and Security Procurement Directive; or
- (b) if [Commission Regulation \(EC\) No 1564/2005](#) sets out a form to be used for this purpose, be in that form and contain the information therein specified.

(5) The obligation to publish a prior information notice applies only where the contracting authority takes the option of shortening the time limit for the receipt of tenders in accordance with regulation 17(20).

(6) This regulation does not apply to a proposed contract where the procedure for the award of the contract is the negotiated procedure without the prior publication of a contract notice in accordance with regulations 16 and 18(1), (2), (9) and (10).