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STATUTORY INSTRUMENTS

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**2014 No. 3337**

**The Single Source Contract Regulations 2014**

**PART 10**

**Restrictions on disclosing information**

**Information specified for the purposes of paragraph 1(1)(c) of Schedule 5**

**56.**—(1) Information is specified for the purposes of paragraph 1(1)(c) of Schedule 5 (information to which that Schedule applies) if it falls within any of paragraphs (2) to (5) below.

(2) Information falls within this paragraph if—

- (a) it has been obtained by the Secretary of State under Part 4 of these Regulations (records); and
- (b) its disclosure would be likely to substantially prejudice the commercial interests of any person.

(3) Information falls within this paragraph if it has been provided to the Secretary of State or the SSRO in accordance with any of the following provisions—

- (a) regulation 23(2)(a), (d) or (e)(i) (contract pricing statement), including information described in any of those provisions and required under regulation 30(3);
- (b) regulation 23(2)(f), if the information relates to any information within sub-paragraph (a) above;
- (c) regulation 25(2)(b) to (f) and (l) (contract notification report);
- (d) regulation 26(6)(a) to (h) and (k) (quarterly contract report);
- (e) regulation 27(4)(b) to (i) and (5)(a), (b) and (e) (interim contract report), including information described in any of those provisions and required under regulation 30(3);
- (f) regulation 28(2)(b) to (k) and (p) (contract completion report);
- (g) regulation 29(2)(c) to (e) (contract costs statement), including information described in that provision and required under regulation 30(1) or (3);
- (h) regulation 34(3)(d) to (j) (actual rates claim report);
- (i) regulation 35(7) and (8) (QBU actual cost analysis report);
- (j) regulation 36(3)(d) to (j) (estimated rates claim report);
- (k) regulation 37(7) and (8) (QBU estimated cost analysis report);
- (l) regulation 38(6) (estimated rates agreement pricing statement);
- (m) regulation 39(4)(c) and (d) (rates comparison report); or
- (n) regulations 41 to 44 (strategic industry capacity report).

(4) Information falls within this paragraph if—

- (a) it—

- (i) has been provided to the Secretary of State under section 26 (duty to report relevant events etc); or
    - (ii) has been provided to the Secretary of State in a notice given under regulation 47(2); and
  - (b) it is of a kind that could have fallen within any provision listed in paragraph (3).
- (5) Information falls within this paragraph if—
- (a) it has been provided—
    - (i) to the SSRO for the purposes of any application, reference or appeal to the SSRO; or
    - (ii) by the SSRO under section 36(3)(b) or arrangements made by virtue of section 37(2)(a); and
  - (b) its disclosure would be likely to substantially prejudice the commercial interests of any person.