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STATUTORY INSTRUMENTS

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**2023 No. 484**

**The Public Procurement (International Trade Agreements) (Amendment) Regulations 2023**

**Amendment to the Concession Contracts Regulations 2016**

3.—(1) The Concession Contracts Regulations 2016<sup>(1)</sup> are amended as follows.

(2) In regulation 8 (principle of equal treatment, non-discrimination and transparency), after paragraph (4), insert—

“(5) Contracting authorities and utilities that are not devolved Welsh authorities shall not terminate concession contracts in a manner that circumvents their obligations under these Regulations.”.

(3) In regulation 9 (threshold amounts and methods for calculating the estimated value of concession contracts), after paragraph (9), insert—

“(9A) If a contracting authority or a utility that is not a devolved Welsh authority is unable to estimate the value of a concession contract in accordance with this regulation, the estimated value of the concession contract inclusive of value added tax is deemed to be equal to the threshold amount in paragraph (1).”.

(4) In Schedule 4 (international trade agreements), after the last entry (for Iceland, the Principality of Liechtenstein and the Kingdom of Norway), insert—

“For contracting authorities and utilities that are not devolved Welsh authorities:

Free Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and Australia, signed at London on 16th December 2021 and Adelaide on 17th December 2021.”.

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(1) [S.I. 2016/273](#), relevant amending instruments are [S.I. 2020/1319](#), [S.I. 2021/787](#), [S.I. 2021/1221](#) and [S.I. 2022/766](#).