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STATUTORY INSTRUMENTS

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**2024 No. 692**

**The Procurement Regulations 2024**

**Part 2**

**Transparency of procurements under the Procurement Act 2023**

**Transparency notices**

**26.**—(1) This regulation sets out other information which must be included in a transparency notice published under section 44(1) of the PA 2023.

(2) The information is—

- (a) the contracting authority information,
- (b) the title of the procurement,
- (c) the unique identifier for the procurement,
- (d) in the case of a procurement where there has been a switch to a direct award in accordance with section 43 of the PA 2023, the unique identifier allocated to the procurement before the switch to direct award,
- (e) the unique identifier for the contract, if this is known when the transparency notice is published,
- (f) the contract subject-matter,
- (g) whether the contract is a special regime contract and, if so, whether it is—
  - (i) a concession contract,
  - (ii) a defence and security contract,
  - (iii) a light touch contract, or
  - (iv) a utilities contract,
- (h) whether the contract is being awarded directly to a supplier that is not an excluded supplier because a direct award justification applies in accordance with section 41(1)(a) of the PA 2023,
- (i) if [sub-paragraph \(h\)](#) applies, the direct award justification in Schedule 5 to the PA 2023 which applies and an explanation of why the contracting authority considers that it applies,
- (j) whether the contract is being awarded directly to a supplier that is an excluded supplier because the contracting authority considers that there is an overriding public interest in awarding the contract to that supplier in accordance with section 41(2) to (5) of the PA 2023,
- (k) if [sub-paragraph \(j\)](#) applies—
  - (i) the offence or other event mentioned in Schedule 6 to the PA 2023 by virtue of which the supplier is an excluded supplier, and
  - (ii) which ground in section 41(5) of the PA 2023 applies and an explanation of why the contracting authority considers that it applies,

- (l) whether the contract is being awarded directly to a supplier pursuant to regulations made under section 42 of the PA 2023 (direct award to protect life, etc),
- (m) if [sub-paragraph \(l\)](#) applies, the title and registration number of the statutory instrument containing those regulations,
- (n) whether the contract is being awarded directly to a supplier that is not an excluded supplier by virtue of section 43 of the PA 2023 (switching to direct award),
- (o) if [sub-paragraph \(n\)](#) applies, the reason the contracting authority considers there were no suitable tenders or requests to participate by reference to section 43(2) of the PA 2023 and why it considers that an award under section 19 of that Act is not possible in the circumstances,
- (p) whether the contract is being awarded by reference to lots and, if so—
  - (i) the title of each lot, and
  - (ii) the distinct number given to each lot by the contracting authority,
- (q) the estimated value of the contract,
- (r) whether the contracting authority considers that the contract or any lot forming part of the contract may be particularly suitable to be awarded—
  - (i) to a small and medium-sized enterprise, or
  - (ii) to a non-governmental organisation that is value-driven and which principally reinvests its surpluses to further social, environmental or cultural objectives,
- (s) a description identifying any risk that—
  - (i) the contracting authority considers—
    - (aa) could jeopardise the satisfactory performance of the contract, but
    - (bb) because of its nature, may not be addressed in the contract as awarded, and
  - (ii) may require a subsequent modification to the contract under paragraph 5 of Schedule 8 to the PA 2023 (modification of contract following materialisation of a known risk),
- (t) whether suppliers have been selected for the award of the contract,
- (u) if suppliers have been selected for the award of the contract, for each supplier selected—
  - (i) the supplier's name,
  - (ii) the—
    - (aa) unique identifier for the supplier, or
    - (bb) in the case of a direct award of a public contract pursuant to paragraphs 13 and 14 of Schedule 5 to the PA 2023 (urgency) where the supplier has not been allocated a unique identifier when the transparency notice is published but can instead provide unique information (for example a company registration number given under the CA 2006) which can be recognised by the central digital platform as the basis for a unique identifier allocated by that platform, that unique information, and
    - (iii) the supplier's contact postal address and email address,
  - (v) the estimated date when the contract will be entered into, and
  - (w) where the contract is a framework—
    - (i) the term of the framework,

- (ii) whether the framework provides for fees to be charged to a supplier in accordance with the framework and, if so, details of the fixed percentage by which they will be charged in accordance with section 45(7) of the PA 2023, and
  - (iii) the contracting authorities entitled to award contracts in accordance with the framework (whether by listing the names of those authorities or by describing categories of authorities).
- (3) Nothing in [this regulation](#) prevents a contracting authority from publishing other information that relates to the same procurement in the notice.