
STATUTORY INSTRUMENTS

2024 No. 692

The Procurement Regulations 2024

Part 2

Transparency of procurements under the Procurement Act 2023

Publication of notices etc on central digital platform

5.—(1) A notice, document or information which is published or given in accordance with a provision of the PA 2023 listed in [paragraph \(3\)](#) must be published or given by publishing it on the central digital platform.

(2) The “central digital platform” is the online system established by the Minister for the Cabinet Office and which may be accessed on www.gov.uk(1).

(3) The provisions are—

- (a) section 15(1) (planned procurement notices)(2),
- (b) section 17(1)(a) (preliminary market engagement notices),
- (c) section 21(1) (tender notices),
- (d) section 24(4) (refining award criteria), in respect of republishing tender notices only,
- (e) section 31(5) (modifying a section 19 procurement), in respect of republishing tender notices only,
- (f) section 39(2) (dynamic market notices: intention to establish a dynamic market)(3),
- (g) section 39(3) (dynamic market notices: establishment of a dynamic market),
- (h) section 39(4) (dynamic market notices: modifications to a dynamic market),
- (i) section 39(5) (dynamic market notices: cessation of a dynamic market),
- (j) section 44(1) (transparency notices),
- (k) section 50(1) (contract award notices),
- (l) section 52(3) (key performance indicators),
- (m) section 53(1) (contract details notices),
- (n) section 53(3) (copies of contracts),
- (o) section 55(2) (procurement termination notices),
- (p) section 69(1) (payments compliance notices),
- (q) section 71(2)(b) (contract performance: information relating to the assessment of performance against key performance indicators),

(1) See here: <https://www.gov.uk/find-tender>

(2) Planned procurement notices include qualifying planned procurement notices by virtue of section 15(3) of the Procurement Act 2023.

(3) Dynamic market notices under section 39(2) include qualifying utilities dynamic market notices by virtue of section 40(6) of the Procurement Act 2023.

- (r) section 71(5) (contract performance: breach of public contract or failure to perform),
- (s) section 75(1) (contract change notices),
- (t) section 75(5) (contract change notices: modifications taken together),
- (u) section 77(1) (contract modifications),
- (v) section 80(1) (contract termination notices),
- (w) section 87(1) (below-threshold tender notices),
- (x) section 87(3) (contract details notices following notifiable below-threshold contracts),
- (y) section 93(2) (pipeline notices), and
- (z) section 94(3) (information being withheld).

(4) The requirement in [paragraph \(1\)](#) to publish or give a notice, document or information by publication on the central digital platform is met where the contracting authority has submitted the notice, document or information to the platform and—

- (a) the Minister for the Cabinet Office has informed the contracting authority that the notice, document or information has successfully been submitted to the platform, or
- (b) the notice, document or information is capable of being accessed by suppliers and members of the public on the platform.

(5) If all of the conditions in [paragraph \(6\)](#) are met the contracting authority may publish or give the notice, document or information by publishing the notice, document or information on an alternative online system and in doing so the authority is to be treated as meeting for the time being the requirement in [paragraph \(1\)](#).

(6) The conditions are that—

- (a) in the case of a notice mentioned in [paragraph \(7\)](#), no less than 4 hours have passed since the notice was submitted to the central digital platform,
- (b) in the case of any other notice, document or information, no less than 48 hours have passed since the notice, document or information was submitted to the platform,
- (c) the contracting authority has not received confirmation from the Minister for the Cabinet Office that the notice, document or information has successfully been published on the platform, and
- (d) the notice, document or information is not capable of being accessed by members of the public on the platform.

(7) The notice is a transparency notice⁽⁴⁾, contract award notice or contract details notice relating to—

- (a) the direct award of a public contract pursuant to regulations made under section 42 of the PA 2023 (direct award to protect life, etc), or
- (b) the direct award of a public contract pursuant to paragraphs 13 and 14 of Schedule 5 to the PA 2023 (urgency).

(8) The contracting authority is no longer to be treated as meeting for the time being the requirement in [paragraph \(1\)](#) if the Minister for the Cabinet Office informs the contracting authority that the submission of the notice, document or information to the central digital platform has been rejected.

(9) A contracting authority which uses an alternative online system in accordance with [paragraph \(5\)](#) must cooperate with the Minister for the Cabinet Office to ensure that the notice, document or information in question is subsequently—

(4) For an index of defined expressions related to expressions used in the Procurement Act 2023, certain of which, for example “transparency notice”, are also used in these Regulations, see section 124 of that Act.

- (a) published on the central digital platform, and
 - (b) capable of being accessed by members of the public on the platform.
- (10) An “alternative online system” is an online system for publishing procurement information which is—
- (a) free of charge and capable of being accessed by suppliers and members of the public,
 - (b) accessible to people with disabilities, and
 - (c) not the central digital platform.
- (11) Nothing in [this regulation](#) prevents a contracting authority from publishing the notice, document or information other than on the central digital platform or an alternative online system but the authority must not do so before publishing the notice, document or information on that platform or system.