
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 2

PUBLIC PROCUREMENT

The Utilities Contracts (Scotland) Regulations 2006

Made - - - - - *4th January 2006*
Laid before the Scottish
Parliament - - - *5th January 2006*
Coming into force *31st January 2006*

THE UTILITIES CONTRACTS (SCOTLAND) REGULATIONS 2006

PART 1

GENERAL

1. Citation, commencement and extent
2. Interpretation
3. Utilities
4. Economic operators
5. Application
6. General exclusions
7. Exclusion of contracts awarded to affiliated undertakings or joint ventures
8. Exemption in respect of certain utilities operating in the energy sector
9. Exemption of contracts where activity is directly exposed to competition
10. Reserved contracts
11. Thresholds

PART 2

TECHNICAL SPECIFICATIONS

12. Technical specifications in contract documents
13. Variants

PART 3

PROCEDURES LEADING TO THE AWARD OF A CONTRACT

14. The open, restricted and negotiated procedures
15. Periodic indicative notices
16. Call for competition
17. Award without a call for competition

Status: This is the original version (as it was originally made).

- 18. Framework agreements
- 19. Dynamic purchasing systems
- 20. Electronic auctions
- 21. Central purchasing bodies
- 22. Time limits

PART 4

QUALIFICATION AND SELECTION OF ECONOMIC OPERATORS

- 23. General
- 24. Mutual recognition concerning administrative, technical or financial conditions
- 25. Qualification system
- 26. Criteria for rejection of economic operators
- 27. Criteria for selection of economic operators
- 28. Consortia
- 29. Corporations

PART 5

THE AWARD OF A CONTRACT

- 30. Criteria for the award of a contract
- 31. Rejection of third country tenders – supply contracts
- 32. Contract award notices
- 33. Information about contract award procedures

PART 6

SPECIALISED CONTRACTS

- 34. Design contests

PART 7

MATTERS RELATING TO A CONTRACT

- 35. Obligations relating to taxes, environmental protection, employment protection and working conditions
- 36. Conditions for performance of contracts

PART 8

MISCELLANEOUS

- 37. Preservation of records
- 38. Statistical and other reports
- 39. Provision of reports
- 40. Publication of notices
- 41. Confidentiality of information
- 42. Means of communication
- 43. Sub contracting
- 44. Attestation

PART 9

APPLICATIONS TO THE COURT

- 45. Enforcement of obligations
- 46. Conciliation

PART 10

REVOCATION, SAVINGS AND TRANSITIONAL PROVISIONS

- 47. Revocation
- 48. Savings and transitional provisions
Signature

SCHEDULE 1	UTILITIES
SCHEDULE 2	ACTIVITIES CONSTITUTING WORKS
SCHEDULE 3	CATEGORIES OF SERVICES
	Part A
	Part B
SCHEDULE 4	EXTENSION TO NON MEMBER STATES
Explanatory Note	