



Procurement Act 2023

2023 CHAPTER 54

PART 12

AMENDMENTS AND REPEALS

116 Disapplication of duty in section 17 of the Local Government Act 1988

- (1) In section 17 of the Local Government Act 1988 (exclusion of non-commercial considerations), in subsection (11), after “imposed on it by” insert “the Procurement Act 2023 or”.
- (2) A Minister of the Crown or the Welsh Ministers may by regulations make provision disapplying the duty under section 17(1) of the Local Government Act 1988 (“the 1988 Act”) as it relates to a relevant authority.
- (3) The regulations may disapply the duty as it relates to—
 - (a) all relevant authorities or those that are specified;
 - (b) all functions that are regulated by section 17 of the 1988 Act (see subsection (4) of that section) or those that are specified;
 - (c) contracts of all types mentioned in section 17(1) of the 1988 Act, or of those types that are specified;
 - (d) all non-commercial matters (see section 17(5) of the 1988 Act) or those that are specified.
- (4) In this section—

“relevant authority” means an authority to which section 17 of the 1988 Act applies other than a devolved Scottish authority;

“specified” means specified, or of a description specified, in regulations under this section.

Commencement Information

11 S. 116 not in force at Royal Assent, see [s. 127\(2\)](#)

Status: This version of this part contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Procurement Act 2023, PART 12. (See end of Document for details)

12 [S. 116\(2\)\(3\)\(4\)](#) in force at 12.3.2024 by [S.I. 2024/361](#), [reg. 2\(q\)](#)

117 Single source defence contracts

Schedule 10 makes amendments to Part 2 of the Defence Reform Act 2014 (single source contracts).

Commencement Information

- I3** [S. 117](#) not in force at Royal Assent, see [s. 127\(2\)](#)
I4 [S. 117](#) in force at 19.1.2024 for specified purposes by [S.I. 2024/61](#), [reg. 2\(1\)\(a\)](#) (with [reg. 3](#))

PROSPECTIVE

118 Concurrent powers and the Government of Wales Act 2006

In Schedule 7B to the Government of Wales Act 2006 (general restrictions on devolved competence)—

- (a) at the end of paragraph 9(8)(b)(vi), omit “or”,
- (b) in paragraph 9(8)(b)(vii), at the end insert “or
(viii) the Procurement Act 2023.”,
- ^[F1](c) at the end of paragraph 11(6)(b)(x), omit “or”, and
- (d) in paragraph 11(6)(b)(xi), at the end insert
(xii) the Procurement Act 2023.”]

Textual Amendments

- F1** [S. 118\(c\)\(d\)](#) substituted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), [ss. 239\(4\)\(a\)](#), [255\(9\)\(b\)](#) (with [s. 247](#))

Commencement Information

- I5** [S. 118](#) not in force at Royal Assent, see [s. 127\(2\)](#)

PROSPECTIVE

119 Repeals etc

- (1) The enactments set out in Schedule 11 are repealed or revoked.
- (2) The following regulations apply only in relation to devolved Scottish authorities—
 - (a) the Public Contracts (Scotland) Regulations 2015 ([S.S.I. 2015/446](#));
 - (b) the Utilities Contracts (Scotland) Regulations 2016 ([S.S.I. 2016/49](#));
 - (c) the Concession Contracts (Scotland) Regulations 2016 ([S.S.I. 2016/65](#)).

Status: This version of this part contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects
for the Procurement Act 2023, PART 12. (See end of Document for details)

Commencement Information

I6 S. 119 not in force at Royal Assent, see [s. 127\(2\)](#)

Status:

This version of this part contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the Procurement Act 2023, PART 12.