
STATUTORY INSTRUMENTS

2006 No. 6

The Utilities Contracts Regulations 2006

PART 8

MISCELLANEOUS

Attestation

44.—(1) A utility which has recourse to an attestation system and obtains an attestation in accordance with Articles 4 and 5 of the Utilities Remedies Directive from an independent person or body accredited in a relevant State for the purpose of attestation in accordance with Article 6 of that Directive may include the following statement in a notice sent to the Official Journal for publication in accordance with regulations 15, 16(2)(b), 25(17) and 32(1)—

“The contracting entity has obtained an attestation in accordance with Council Directive [92/13/EC](#) that, on . . . , its contract award procedures and practices were in conformity with Community law and the national rules implementing that law.”

(2) An attestation system established in a relevant State in accordance with the European Attestation Standard⁽¹⁾ is presumed to be in accordance with Articles 4 to 6 of the Utilities Remedies Directive.

(1) The European Attestation Standard EN 45503: 1996D for the assessment of contract award procedures and practices of entities operating in the water, energy and transport sectors was prepared under the mandate of the Commission of the European Communities and of the European Free Trade Association.