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STATUTORY INSTRUMENTS

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**2016 No. 275**

**PUBLIC PROCUREMENT**

**The Public Procurement (Amendments,  
Repeals and Revocations) Regulations 2016**

<i>Made</i>	- - - -	<i>11th March 2016</i>
<i>Laid before Parliament</i>		<i>17th March 2016</i>
<i>Coming into force</i>		<i>18th April 2016</i>

**THE PUBLIC PROCUREMENT (AMENDMENTS,  
REPEALS AND REVOCATIONS) REGULATIONS 2016**

1. Citation, commencement and extent
  2. Amendments to Acts of Parliament
  3. Amendments to statutory instruments
  4. Repeals and revocations
  5. Transitional provisions
- Signature

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SCHEDULE 1 — Amendments to Acts of Parliament

1. Greater London Authority Act 1999
2. (1) Section 355 (duties of waste collection authorities etc.) is...
3. (1) Section 356(directions by the Mayor) is amended as follows....
4. (1) Section 358 (information about new waste contracts) is amended...
5. In section 359(1)(c) (confidential information about waste contracts) for “Utilities...”
6. (1) Section 360 (interpretation) is amended as follows.
7. Equality Act 2010
8. Public Services (Social Value) Act 2012
9. Health and Social Care Act 2012

SCHEDULE 2 — Amendments to statutory instruments

PART 1 — The Public Contracts Regulations 2015

1. The Public Contracts Regulations 2015 are amended as follows.
2. (1) Regulation 1 (citation, commencement, extent and application) is amended...

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3. (1) Regulation 2 (definitions) is amended as follows.
4. (1) Regulation 4 (mixed procurement) is amended as follows.
5. For regulation 7 (utilities) substitute— Contracts in the water, energy,...
6. In regulation 15(3) (defence and security) for “intrusive means” substitute...
7. In regulation 17(2) (public contracts and design contests involving defence...
8. In regulation 25 (conditions relating to the GPA and other...
9. In regulation 29(4) (competitive procedure with negotiation) for “paragraph (6)”...
10. For regulation 35(13) (electronic auctions) substitute— (13) For the purposes...
11. For regulation 48(4) (prior information notices) substitute—
12. For regulation 51(1) (form and manner of sending notices for...
13. In regulation 52(3) (publication at national level) omit “, 72”....
14. (1) Regulation 57 (exclusion grounds) is amended as follows.
15. (1) Regulation 60 (means of proof) is amended as follows....
16. In regulation 72(1)(b) (modification of contracts during their term) at...
17. In regulation 88(2) (interpretation of Chapter 6) for “this Part”...
18. In regulation 89(1)(a) (duty owed to economic operators from EEA...
19. In regulation 99(4) (grounds for ineffectiveness) after “a notice which”...
20. In regulation 105(2)(b) (scope of Chapter 7) for “or an...
21. In regulation 109(5) (scope of Chapter 8) for “or an...
22. (1) Regulation 113 (payment of undisputed invoices etc.) is amended...
23. (1) Regulation 118 (general transitional provision and saving where procurement...
24. (1) Schedule 1 (central government authorities) is amended as follows....  
PART 2 — Other statutory instruments
25. Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975
26. (1) Article 2(1) is amended as follows.
27. For article 3(1)(j) substitute— (j) any question asked by or...
28. Omit article 3(1)(ja).
29. Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979
30. (1) Article 1(2) (citation, commencement and interpretation) is amended as...
31. For article 2(g) (exclusion of article 5(2) of the Order...
32. Heavy Goods Vehicles (Charging for the Use of Certain Infrastructure on the Trans-European Road Network) Regulations 2009
33. Quality Contracts Schemes (Tendering Requirements) (England) Regulations 2009
34. Cleaner Road Transport Vehicles Regulations 2011
35. (1) Regulation 2(1) (interpretation) is amended as follows.
36. (1) Regulation 3 (scope of the Regulations) is amended as...
37. For regulation 6(3) and (4) (enforcement of duties) substitute—
38. Defence and Security Public Contracts Regulations 2011
39. In regulation 3(1) (interpretation) at the end of the definition...
40. (1) Regulation 4 (contracting authorities) is amended as follows.
41. In regulation 6(4) to (6) (application)— (a) for “Utilities Contracts...
42. In regulation 17(5) after “contract” insert “notice”.
43. In Schedule 4 (consequential amendments, repeals and revocations), omit paragraphs...
44. The Railways (Interoperability) Regulations 2011
45. National Health Service (Procurement, Patient Choice and Competition) (No. 2) Regulations 2013

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46. In regulation 13(3) (powers of Monitor to investigate) after “2015”...
47. (1) In regulation 17 (actions brought under the Public Contracts...
48. Water Industry (Specified Infrastructure Projects) (English Undertakers) Regulations 2013
49. (1) Regulation 6 (tender requirements and procedure) is amended as...
50. For Schedule 2 (application of the Utilities Contracts Regulations 2006)...

SCHEDULE 3 — Repeals and revocations

PART 1 — Repeals

PART 2 — Revocations

Explanatory Note