

Utilities Contracts (Scotland) Regulations 2016 and Concession Contracts (Scotland) Regulations 2016

Purpose

1. This note tells you about changes to the rules on public procurement in Scotland arising from:
 - The Utilities Contracts (Scotland) Regulations 2016¹
 - The Concession Contracts (Scotland) Regulations 2016²

Key Points

2. The Utilities Contracts (Scotland) Regulations 2016 transpose EU Directive 2014/25/EU into Scots law. It applies to entities operating in the water, energy, transport and postal services sectors. The Regulations were laid before the Scottish Parliament on 28 January 2016 and come into force on 18 April 2016.
3. The Concession Contracts (Scotland) Regulations 2016, transpose EU Directive 2014/23/EU into Scots law and apply to concession contracts awarded by contracting authorities. The new Regulations were laid in the Scottish Parliament on 2 February 2016 and come into force on 18 April 2016.
4. SPPN 6/2015 and 1/2016 provided specific information on other changes to the rules on public procurement in Scotland arising from the three new EU procurement directives and the Procurement Reform (Scotland) Act 2014. They also provided information on plans to publish statutory guidance and proposed training provision to take account of the changes.

¹ <http://www.legislation.gov.uk/ssi/2016/49/contents/made>

² <http://www.legislation.gov.uk/ssi/2016/65/contents/made>

Dissemination

5. Please bring this SPPN to the attention of all relevant staff within your field of responsibility to whom it may be of interest.

Enquiries

6. Any enquiries in relation to this guidance should be addressed to Scottish Procurement: Scottishprocurement@gov.scot

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