
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 108

PUBLIC PROCUREMENT

**The Public Contracts and Utilities Contracts
(Scotland) Amendment Regulations 2012**

<i>Made</i>	- - - -	<i>28th March 2012</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>30th March 2012</i>
<i>Coming into force</i>	- -	<i>1st May 2012</i>

The Scottish Ministers make the following Regulations in exercise of their powers conferred by section 2(2) of the European Communities Act 1972(1).

Citation, commencement, interpretation and extent

1.—(1) These Regulations may be cited as the Public Contracts and Utilities Contracts (Scotland) Amendment Regulations 2012 and come into force on the 1st May 2012.

(2) In these Regulations—

- (a) “Public Contracts Regulations” means the Public Contracts (Scotland) Regulations 2012(2); and
- (b) “Utilities Contracts Regulations” means the Utilities Contracts (Scotland) Regulations 2012(3).

(3) These Regulations extend to Scotland only.

Amendment of the Public Contracts Regulations

2.—(1) The Public Contracts Regulations are amended as follows.

(2) In Schedule 1 (GPA Annex 1 Contracting Authorities)—

- (a) for “Scotland, General Register Office” substitute “Scotland, National Records of Scotland”;
- (b) for “Crofters Commission” substitute “Crofting Commission”;
- (c) after the entry for “Scottish Law Commission” insert “Common Services Agency”;

(1) 1972 c.68. Section 2(2) was amended by the Scotland Act 1998 (c.46) (“the 1998 Act”), Schedule 8, paragraph 15(3) (which was amended by section 27(4) of the Legislative and Regulatory Reform Act 2006 (c.51) (“the 2006 Act”). Section 2(2) was also amended by section 27(1)(a) of the 2006 Act and by the European Union (Amendment) Act 2008 (c.7), Schedule, Part 1. The functions conferred upon the Minister of the Crown by section 2(2) of the European Communities Act 1972, insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act.

(2) S.S.I. 2012/88.

(3) S.S.I. 2012/89.

- (d) for “Special Health Boards constituted under section 2 of the National Health Service (Scotland) Act 1978(4)” substitute “Health Boards and Special Health Boards constituted under section 2 of the National Health Service (Scotland) Act 1978”;
- (e) before the entry for “the Office of the Accountant of Court” insert “Health Improvement Scotland”; and
- (f) omit “Scottish Record Office”.

Amendment of the Utilities Contracts Regulations

3.—(1) The Utilities Contracts Regulations are amended as follows.

(2) In Schedule 5 (Consequential Amendments and Revocations)—

- (a) in Part A, in the entry regarding [S.S.I. 2008/376](#), in column 3, for “the Public Contracts (Scotland) Regulations 2006”, substitute “the Utilities Contracts (Scotland) Regulations 2006”; and
- (b) in Part B, in the entry regarding [S.I. 2011/1848](#), in column 3, after “the Utilities Contracts (Scotland) Regulations” where it first appears, insert “2006”.

St Andrew’s House, Edinburgh
28th March 2012

ALEX NEIL
A member of the Scottish Executive

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations correct errors regarding certain health and other bodies in Schedule 1 to the Public Contracts (Scotland) Regulations 2012 and Schedule 5 to the Utilities Contracts (Scotland) Regulations 2012.