

DELEGATED POWERS AND LAW REFORM COMMITTEE

10th Meeting, 2021 (Session 6) Tuesday, 16 November 2021

Instrument Responses

Public Procurement (Agreement on Government Procurement) (Thresholds etc.) (Amendment) (Scotland) Regulations 2021 (SSI 2021/378)

On 5 November 2021 the Scottish Government was asked:

1. Regulation 3(5) refers to “Part 2 of Schedule 2” of the Public Contracts (Scotland) Regulations 2015. However, per schedule 2 of the Public Procurement (Agreement on Government Procurement) (Amendment) (No. 2) Regulations 2021 (SI 2021/872), introduced by regulation 5(3) of that SI, should this refer to “Part 2 of Schedule 1”?
2. Please confirm whether any corrective action is proposed, and if so, what action and when.

On 9 November 2021 the Scottish Government responded:

Regulation 3(5) of the Public Procurement (Agreement on Government Procurement) (Thresholds etc.) (Amendment) (Scotland) Regulations 2021 (SSI 2021/378) should refer to Part 2 of Schedule 1. A corrective SSI has been drafted and will be laid in early course.

The corrective SSI will also correct an incorrect figure in regulation 4(2)(b) of the Public Procurement (Agreement on Government Procurement) (Thresholds etc.) (Amendment) (Scotland) Regulations 2021 (SSI 2021/378). The regulation currently refers to “£462,955” whereas it requires to be amended to “£426,955”.