

SCHEDULE 1

Regulation 2

Amendments to Acts of Parliament

Greater London Authority Act 1999

1. The Greater London Authority Act 1999(1) is amended as follows.
- 2.—(1) Section 355(2) (duties of waste collection authorities etc.) is amended as follows.
 - (2) Omit subsection (7).
 - (3) In subsection (8)—
 - (a) in paragraph (a) for “Public Contracts Regulations 2015” substitute “Public Procurement Regulations”;
 - (b) in paragraph (b) after “notice” insert “or the concession notice (as the case may require)”.
- 3.—(1) Section 356(3)(directions by the Mayor) is amended as follows.
 - (2) Omit subsection (3).
 - (3) In subsection (3A)—
 - (a) in paragraph (a) for “Public Contracts Regulations 2015” substitute “Public Procurement Regulations”;
 - (b) in paragraph (b) after “notice” insert “or the concession notice (as the case may require)”.
- 4.—(1) Section 358(4) (information about new waste contracts) is amended as follows.
 - (2) Omit subsection (1).
 - (3) In subsection (1ZA)—
 - (a) after “Public Contracts Regulations 2015” insert “or the Utilities Contracts Regulations 2016”;
 - (b) in paragraph (a) after “notice” insert “, a periodic indicative notice or a qualification system notice (as the case may require)”.
 - (4) Omit subsection (1B).
 - (5) In subsection (1BA)—
 - (a) for “Public Contracts Regulations 2015” substitute “Public Procurement Regulations”;
 - (b) in paragraph (a) after “notice” insert “, a periodic indicative notice or a qualification system notice (as the case may require)”;
 - (c) in paragraph (b) after “notice” insert “or a concession notice (as the case may require)”.
 - (6) In subsection (2) for “Utilities Contracts Regulations 2006 or the Public Contracts Regulations 2015” substitute “Public Procurement Regulations”.

(1) 1999 c.29.

(2) Section 355 was amended by the Greater London Authority Act 2007 (c.24), section 37; the Localism Act 2011 (c.20), Schedule 23, paragraphs 1, 6(a) and 7 and Schedule 25, Part 33 and by S.I. 2015/102, Schedule 6, paragraphs 2 and 3.

(3) Section 356 was amended by the Greater London Authority Act 2007, section 39(5); the Localism Act 2011, Schedule 23, paragraphs 1 and 6(b) and by S.I. 2015/102, Schedule 6, paragraphs 2 and 4.

(4) Section 358 was amended by the Greater London Authority Act 2007, section 39(1) to (4); the Localism Act 2011, Schedule 23, paragraphs 1 and 6(e) and by S.I. 2015/102, Schedule 6, paragraphs 2 and 5.

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5. In section 359(1)(c)(5) (confidential information about waste contracts) for “Utilities Contracts Regulations 2006 or the Public Contracts Regulations 2015” substitute “Public Procurement Regulations”.

6.—(1) Section 360(6) (interpretation) is amended as follows.

(2) In subsection (2)—

(a) in the definition of “buyer profile” for “Utilities Contracts Regulations 2006 or the Public Contracts Regulations 2015” substitute “Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 (as the case may require)”;

(b) after the definition of “buyer profile” insert—

““concession notice” has the same meaning as in regulation 31 of the Concession Contracts Regulations 2016,”;

(c) at the end of the definition of “contract notice” insert “or regulation 69 of the Utilities Contracts Regulations 2016 (as the case may require)”;

(d) after the definition of “the national waste management plan” insert—

““periodic indicative notice” has the same meaning as in regulation 67 of the Utilities Contracts Regulations 2016,”;

(e) after the definition of “prior information notice” insert—

““the Public Procurement Regulations” means the Public Contracts Regulations 2015, the Utilities Contracts Regulations 2016 or the Concession Contracts Regulations 2016 (as the case may require),

“qualification system notice” means a notice under regulation 68 of the Utilities Contracts Regulations 2016,”.

(3) Omit subsections (3) and (4).

Equality Act 2010

7. In section 155(3) of the Equality Act 2010(7) (power to impose specific duties: supplementary), for the definition of “the Public Sector Directive” substitute—

““the Public Sector Directive” means [Directive 2014/24/EU](#) of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing [Directive 2004/18/EC](#), as amended from time to time.”.

Public Services (Social Value) Act 2012

8.—(1) Section 1 of the Public Services (Social Value) Act 2012(8) (contracts of relevant authorities) is amended as follows.

(2) In subsection (15), at the appropriate place, insert—

““central government authority” has the same meaning as in the Regulations (even though the Regulations do not apply);”;

““sub-central contracting authority” has the same meaning as in the Regulations (even though the Regulations do not apply).”.

(5) Section 359 was amended by the Greater London Authority Act 2007, section 11(1) and (4) and by [S.I. 2015/102](#), Schedule 6, paragraphs 2 and 6.

(6) Section 360 was amended by the Greater London Authority Act 2007, section 39(6) to (8); the Localism Act 2011, Schedule 25, Part 33; [S.I. 2006/5](#), Schedule 7, paragraph 1; [S.I. 2011/988](#), Schedule 4, paragraphs 5(1) and (4); and by [S.I. 2015/102](#), Schedule 6, paragraphs 2 and 7.

(7) [2010 c.15](#).

(8) [2012 c.3](#); section 1 was amended by [S.I. 2015/102](#), Schedule 6, paragraph 8.

(3) For subsection (16) substitute—

“(16) For the purposes of this section references to a public services contract are to—

- (a) a public service contract to which the Regulations apply (or which is treated as such a contract by the Regulations);
- (b) a public service contract for social and other specific services listed in Schedule 3 to the Regulations awarded by a central government authority, the value of which (net of value-added tax) is estimated to be equal to or greater than the threshold mentioned in regulation 5(1)(b) of the Regulations; or
- (c) a public service contract for social and other specific services listed in Schedule 3 to the Regulations awarded by a sub-central contracting authority, the value of which (net of value-added tax) is estimated to be equal to or greater than the threshold mentioned in regulation 5(1)(c) of the Regulations.”

Health and Social Care Act 2012

9. In section 76(8)(b) of the Health and Social Care Act 2012(**9**) (regulations under section 75) after “(S.I. 2015/102)” insert “or the Concession Contracts Regulations 2016 (S.I. 2016/273)”.

(9) 2012 c.7; section 76(8) was amended by S.I. 2015/102, Schedule 6, paragraph 9.