



Defence Reform Act 2014

2014 CHAPTER 20

PART 2

SINGLE SOURCE CONTRACTS

Sub-contracts

28 Qualifying sub-contracts

- (1) Single source contract regulations may make provision in relation to qualifying sub-contracts.
- (2) For the purposes of this Part—
 - (a) “qualifying sub-contract” means a contract to which subsection (3) or (4) applies;
 - (b) references to a “sub-contractor” are to a person who provides anything under such a contract.
- (3) This subsection applies to a contract between a primary contractor and another person if—
 - (a) the contract involves the provision by the other person of anything for the purposes of a qualifying defence contract to which the primary contractor is a party,
 - (b) the award of the contract is not the result of a competitive process,
 - (c) the value of the contract is of or above the amount specified in the regulations, and
 - (d) the contract meets such other requirements as may be specified in the regulations.
- (4) This subsection applies to a contract (“contract B”) if—
 - (a) contract B involves the provision of anything for the purposes of another contract (“contract A”) where contract A is—
 - (i) a contract to which subsection (3) applies, or

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- (ii) another contract to which this subsection applies,
 - (b) the award of contract B is not the result of a competitive process,
 - (c) the value of contract B is of or above the amount specified in the regulations,
and
 - (d) contract B meets such other requirements as may be specified in the regulations.
- (5) The regulations must make provision for determining for the purposes of this section whether the award of a contract is the result of a competitive process.
- (6) The Secretary of State may direct that a particular contract is not a contract to which subsection (3) or (4) applies even though the requirements of that subsection are met in relation to it.

Commencement Information

- I1** [S. 28](#) in force at 14.7.2014 for specified purposes by [S.I. 2014/1751](#), [art. 4\(l\)](#)
- I2** [S. 28](#) in force at 5.12.2014 in so far as not already in force by [S.I. 2014/3162](#), [art. 3\(c\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 25(8A) inserted by [2023 c. 54 Sch. 10 para. 13\(3\)](#)
- s. 35A inserted by [2023 c. 54 Sch. 10 para. 19](#)