
STATUTORY INSTRUMENTS

2015 No. 102

The Public Contracts Regulations 2015

PART 2

RULES IMPLEMENTING THE PUBLIC CONTRACTS DIRECTIVE

CHAPTER 1

SCOPE AND GENERAL PRINCIPLES

SECTION 1

Scope

SUB-SECTION 3 *Exclusions*

Public contracts awarded, and design contests organised, pursuant to international rules

9.—(1) This Part does not apply to public contracts, or design contests, which the contracting authority is obliged to award or organise in accordance with procurement procedures which are different from those laid down by this Part and are established by ^{F1}...:—

- (a) a legal instrument creating international law obligations, such as an international agreement ^{F2}... between [^{F3}the United Kingdom and one or more other] countries (or subdivisions of such countries) and covering works, supplies or services intended for the joint implementation or exploitation of a project by its signatories;

^{F4}(b)

[^{F5}(2) This Part does not apply to a relevant international public contract or design contest in a case where the applicable procurement rules restrict the participation of economic operators in the procedure.

(2A) In the case of a relevant international public contract or design contest where the applicable procurement rules do not restrict the participation of economic operators in the procedure, the only provision of this Part that applies is regulation 25B (equal treatment of economic operators).]

^{F6}(3)

(4) In the case of contracts and design contests involving defence or security aspects which are awarded or organised pursuant to international rules, regulation 17 applies instead of ^{F7}... this regulation.

[^{F8}(5) In this regulation, “relevant international public contract or design contest” means a public contract or design contest that—

- (a) the contracting authority awards or organises in accordance with procurement rules provided by an international organisation or international financing institution, and
- (b) is fully financed, or co-financed for the most part, by that organisation or institution.]

Changes to legislation: The Public Contracts Regulations 2015, Section 9 is up to date with all changes known to be in force on or before 09 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F1** Words in [reg. 9\(1\)](#) omitted (coming into force in accordance with s. 7(1) of the amending Act) by virtue of [Trade \(Comprehensive and Progressive Agreement for Trans-Pacific Partnership\) Act 2024](#) (c. 6), [Sch. para. 2\(2\)\(a\)](#) (with [Sch. paras. 23-26](#))
- F2** Words in [reg. 9\(1\)\(a\)](#) omitted (1.3.2024) by virtue of [The Retained EU Law \(Revocation and Reform\) Act 2023](#) (Consequential Provision) Regulations 2024 (S.I. 2024/80), [reg. 1\(2\)](#), [Sch. para. 2\(3\)](#)
- F3** Words in [reg. 9\(1\)\(a\)](#) substituted (31.12.2020) by [The Public Procurement \(Amendment etc.\) \(EU Exit\) Regulations 2020](#) (S.I. 2020/1319), [regs. 1\(2\)](#), [6\(8\)\(b\)](#) (with [Sch. paras. 3-5](#))
- F4** [Reg. 9\(1\)\(b\)](#) omitted (coming into force in accordance with s. 7(1) of the amending Act) by virtue of [Trade \(Comprehensive and Progressive Agreement for Trans-Pacific Partnership\) Act 2024](#) (c. 6), [Sch. para. 2\(2\)\(b\)](#) (with [Sch. paras. 23-26](#))
- F5** [Reg. 9\(2\)\(2A\)](#) substituted for [reg. 9\(2\)](#) (coming into force in accordance with s. 7(1) of the amending Act) by [Trade \(Comprehensive and Progressive Agreement for Trans-Pacific Partnership\) Act 2024](#) (c. 6), [Sch. para. 2\(3\)](#) (with [Sch. paras. 23-26](#))
- F6** [Reg. 9\(3\)](#) omitted (coming into force in accordance with s. 7(1) of the amending Act) by virtue of [Trade \(Comprehensive and Progressive Agreement for Trans-Pacific Partnership\) Act 2024](#) (c. 6), [Sch. para. 2\(4\)](#) (with [Sch. paras. 23-26](#))
- F7** Words in [reg. 9\(4\)](#) omitted (coming into force in accordance with s. 7(1) of the amending Act) by virtue of [Trade \(Comprehensive and Progressive Agreement for Trans-Pacific Partnership\) Act 2024](#) (c. 6), [Sch. para. 2\(5\)](#) (with [Sch. paras. 23-26](#))
- F8** [Reg. 9\(5\)](#) inserted (coming into force in accordance with s. 7(1) of the amending Act) by [Trade \(Comprehensive and Progressive Agreement for Trans-Pacific Partnership\) Act 2024](#) (c. 6), [Sch. para. 2\(6\)](#) (with [Sch. paras. 23-26](#))

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Changes and effects yet to be applied to :

- Regulations revoked by [2023 c. 54 Sch. 11 para. 5](#)
- reg. 9(1)(a) word inserted by [S.I. 2019/560 reg. 5\(8\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Affecting Regulations revoked (20.11.2020) by S.I. 2020/1319, regs. 1(3), 2(a))
- reg. 9(1)(a) words substituted by [S.I. 2019/560 reg. 5\(8\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Affecting Regulations revoked (20.11.2020) by S.I. 2020/1319, regs. 1(3), 2(a))

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

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

- reg. 6(15A) words omitted by [S.I. 2023/506 reg. 2\(3\)\(a\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2023/506 revoked before coming into force by The Public Procurement (International Trade Agreements) (Amendment) (Wales) (No. 2) Regulations 2023 (S.I. 2023/567), regs. 1(2), 6)
- reg. 10(1)(d)(i)(aa) words substituted by [S.I. 2019/560 reg. 5\(9\)\(a\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Affecting Regulations revoked (20.11.2020) by S.I. 2020/1319, regs. 1(3), 2(a))
- reg. 10(1)(d)(i)(bb) words substituted by [S.I. 2019/560 reg. 5\(9\)\(a\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Affecting Regulations revoked (20.11.2020) by S.I. 2020/1319, regs. 1(3), 2(a))
- reg. 18(4) words omitted by [S.I. 2023/506 reg. 2\(4\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2023/506 revoked before coming into force by The Public Procurement (International Trade Agreements) (Amendment) (Wales) (No. 2) Regulations 2023 (S.I. 2023/567), regs. 1(2), 6)