



Crown  
Commercial  
Service

# Procurement Policy Note – EU statistics on public procurement – annual return for calendar years 2013 and 2014

Action Note 10/15      18 June 2015

## Issue

1. Request for annual statistical returns on public procurement contracts awarded in calendar years **2013 and 2014**.

## Dissemination and Scope

2. This PPN is directly applicable to Central Government Departments (including their Executive Agencies, and Non Departmental Public Bodies) and the wider public sector (including local authorities and NHS bodies).
3. Please circulate this document to the relevant individual within your organisation for action and to all Contracting Authorities for which you are responsible.

## Timing

4. Annual statistical returns should be made by direct input into the Crown Commercial Service system by **10<sup>th</sup> July 2015**.

## Action

5. The key actions on public sector bodies are to obtain registration to the on-line system, and to complete the returns on-line as follows:
  - a. Please respond to [info@crownccommercial.gov.uk](mailto:info@crownccommercial.gov.uk) including a relevant email address for the person in your organisation responsible for the annual statistical returns by **26<sup>th</sup> June 2015**, to enable individual invitations to be issued in time.
  - b. Once registered, authorities are requested to ensure that their returns are entered into the data collection system in accordance with Annex 1 (new registrations) or Annex 2 (registered departments only) to this PPN, by no later than **10<sup>th</sup> July 2015**. Nil returns are required.
  - c. Separate returns are required for each of the years 2013 and 2014;

## Background

6. Even though the PCR 2015 have largely replaced the 2006 Regs, Contracting Authorities are still required to complete the return because of the legal obligation relating to the supply of annual statistics found in Regulation 40 of the Public Contracts Regulations (PCR) 2006, under which this call for returns falls:

[http://www.legislation.gov.uk/ukxi/2006/5/pdfs/ukxi\\_20060005\\_en.pdf](http://www.legislation.gov.uk/ukxi/2006/5/pdfs/ukxi_20060005_en.pdf)

7. Information is required for each contract or framework agreement awarded during calendar year 2013 and during calendar year 2014 where the estimated value is **above the threshold** of the Regulations (or is otherwise caught by the aggregation rules) and it does not fall within the scope of one of the specified exemptions contained within the Regulations. **This is a legal requirement, not a matter of discretion.** Please note that we do **not** require information on contracts “called-off” from framework agreements as it is information about the framework agreement itself that is required.
8. Annexes 3, 4 and 5 to this PPN provide further background and information to assist public sector bodies complete these returns.
9. Subject to confirmation from the European Commission, we expect that this is the last set of annual returns which authorities will be required to make.

### **Detail**

10. Separate returns (including nil-returns) are required for each contracting authority, including Non-Departmental Public Bodies (NDPBs), Local Authorities, NHS bodies, relevant education bodies and Registered Social Landlords / Housing Associations. Returns from discrete operational units or individual purchasing units within a contracting authority should be incorporated into the main return and not separately identified.
11. Government departments should complete the on-line data forms only (see Annex 2). Contracting authorities that are not Government departments are also asked to input their returns directly. The responsible departments are not required to aggregate and input the individual returns from the bodies for which they are responsible. They are, however, requested to ensure that the bodies for which they are responsible input complete, credible returns, submitted on time.
12. The following entities are considered to be the responsibility of the administration or department shown alongside their title:

<b>Entity</b>	<b>Responsible Body</b>
Authorities subject to the legislative competence of the Scottish Parliament	The Scottish Procurement Directorate
Authorities subject to the legislative competence of the National Assembly for Wales	Value Wales
Authorities subject to the legislative competence of the Northern Ireland Assembly	Department of Finance & Personnel Central Procurement Directorate
BBC	Department of Culture Media and Sport
Universities and further education establishments	Department for Business, Innovation and Skills
Housing Associations and Registered Social Landlords	Communities and Local Government

## Contact

13. Enquiries about this PPN should be should be directed to the Crown Commercial Service Helpdesk (telephone 0345 410 2222, email [info@crownccommercial.gov.uk](mailto:info@crownccommercial.gov.uk))

## Annex 1 – How to fill in your Statistics Returns for 2013 and 2014 (New Registrations)

This guide will help you fill in your annual statistical (stats) returns for 2013 and 2014, there are separate returns for each year. It is important that you read and understand this before you complete the form. You must submit your returns by **10<sup>th</sup> July 2015**.

- 1) To receive access to the online form(s), you must first email [info@crowcommercial.gov.uk](mailto:info@crowcommercial.gov.uk) with an email address(es) of the person (or people) that are carrying out the EU stats return on behalf of your contracting authority. The deadline for this is **26<sup>th</sup> June 2015**, to enable individual invitations to be issued in time for the deadline for completion.
- 2) Upon receipt of this email address the named party will shortly be sent an email from *EUSurveyUser*. This email (example below) will contain a hyperlink [Buyer Link](#), this hyperlink will take you directly to the registration entry page.

Contracting Authorities and Utilities are required to provide an annual return to the European Commission (via the Cabinet Office) in relation to spend above (and in some cases below) the EU procurement threshold. This online process continues that first used for the 2012 data gathering exercise.

This invitation relates to: EU Statistics on Public Procurement for 2013 (1)

Please click on the link [Buyer Survey](#) to access the survey.

For further information, please contact the CCS service desk on 0345 410 2222 or [info@crowcommercial.gov.uk](mailto:info@crowcommercial.gov.uk)

Thank you for participating in the survey.

Crown Commercial Service

- 3) Once you are taken to the registration page please enter your first name, Last Name, E-mail and Work Phone number. Please note: that there is no need to enter your preferred language, preferred number format, preferred date format or time zone as these are all set to a default. These details will confirm your identity for entry into the survey and this will allow you to re-enter the survey as and when you choose by only re-entering your E-mail address on this page.

CCS eSourcing

Survey Registration

Welcome to the survey: "Test EU Statistics on Public Procurement for 2013 (Pt 1)"

Please fill out the below. Click on "Save" to be taken to the survey.

First Name *	<input type="text"/>
Last Name *	<input type="text"/>
E-mail *	<input type="text"/>
Work Phone Number *	<input type="text" value="0345 410 2222"/>
Preferred Language	Default (Default =English)
Preferred Number Format	Default (Default = #.###.###)
Preferred Date Format	Default
Time Zone *	(GMT) Greenwich Mean time : Dublin, Edinburgh, Lisbon, London

\* Required Field

- 4) Once you click the Save and Go to Survey button this will take you to the online form. This online form will look like the page below. For further details of each data input, more detail will be revealed by hovering over any particular column title for a couple of seconds. You are asked to fill in your returns onto this online form directly.

Description: Test EU Statistics on Public Procurement for 2013 ...

[Contact Information](#)    [Buyer Survey Attachments \(0\)](#)

.GPSurveyUser  
0345 410 2222

Type: Buyer Survey

Remaining Time: 8hr 28m 4s  
Open Time: 01/28/2015 15:28 GMT  
Close Time: 01/28/2015 23:59 GMT  
Status: Open

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**Buyer Survey Name:** Test EU Statistics on Public Procurement for 2013 (Pt 1) Questionnaire: 1 / 1

**Questionnaire Name:** EU Stats Response

**Survey Respondent:** John Girling

**Create Response(s)**

**\*Section A. Responder Identity**

Authority / Utility Name	Are you a Schedule 1	Name of person com	Contact Telephone N	E-mail address	Please state if data is
Responder Identity	Please Select				Please Select

Section B. Below Threshold Amounts applicable to Utilities and returns for the DSCPR. Please read the PPN for guidance.

Authority / Utility Name	Supply	Works	Services
£ ex VAT			

Section C. Above Threshold Contracts (applicable to all Authorities, and Utilities as directed by the PPN) - Contracts 1 to 20

Do the Defence and S	Authority / Utility Name	Nationality of Supplier	Type - Please select	CPV Code (one per c	Contract Award - Plea	Negotiated Procedure	this a Framework	Total Contract Val
Contract 1	No		Please Select		Please Select	Please Select	No	
Contract 2	No		Please Select		Please Select	Please Select	No	
Contract 3	No		Please Select		Please Select	Please Select	No	
Contract 4	No		Please Select		Please Select	Please Select	No	
Contract 5	No		Please Select		Please Select	Please Select	No	
Contract 6	No		Please Select		Please Select	Please Select	No	
Contract 7	No		Please Select		Please Select	Please Select	No	
Contract 8	No		Please Select		Please Select	Please Select	No	
Contract 9	No		Please Select		Please Select	Please Select	No	
Contract 10	No		Please Select		Please Select	Please Select	No	

- 5) Section A: is the responder identity section. Please input all the identity information as required, including if you are/are not a Schedule 1 body (or a successor). A comprehensive list of the Schedule 1 (and successor) bodies are listed in Annex 5. In the final question 'Please state if data has been submitted' – this will automatically default to NIL return. If you are submitting a NIL return then please leave this as the default answer and go straight to clicking on the submit button at the bottom of the survey. If not, please select the *Return Data Being Submitted* option from the drop down menu and continue to the next section.
- 6) Section B: Below Threshold Amounts – Please note that this section is only applicable to returns for the Defence and Security Public Contracts Regulations 2011. For all other returns please leave this blank.
- 7) Section C: Above threshold amounts – this is applicable to all contracting authorities, please fill in this section for each above threshold contract that has been awarded for the calendar year of 2013. If you have used the Defence and security regulations for your contract then please select Yes from the drop down menu for this. If not please leave this as its default of No. Nationality codes are provided if you hover-over the Nationality of provider column title. Please select using the drop down menus; the type of contract, the contract award, the reason for negotiated procedure use (if applicable) and framework information. For all other fields please enter the information into the space provided. Upon completion of all of your contracts for 2013 please click on the submit button.

Description: Test EU Statistics on Public Procurement for 2013 ... Type: Buyer Survey

Contact Information: GPSSurveyUser 0345 410 2222

Buyer Survey Attachments (0)

Remaining Time: 10hr 2m 31s  
 Open Time: 01/28/2015 13:43 GMT  
 Close Time: 01/28/2015 23:59 GMT  
 Status: Open

	Do the Defence and S	Authority / Utility Nam	nationality of Supplier	Type - Please select	CPV Code (one per c	Contract Award - Plea	Negotiated Procedu	s this a Framework	Total Contract Val
Contract 21	No			Please Select		Please Select	Please Select	No	
Contract 22	No			Please Select		Please Select	Please Select	No	
Contract 23	No			Please Select		Please Select	Please Select	No	
Contract 24	No			Please Select		Please Select	Please Select	No	
Contract 25	No			Please Select		Please Select	Please Select	No	
Contract 26	No			Please Select		Please Select	Please Select	No	
Contract 27	No			Please Select		Please Select	Please Select	No	
Contract 28	No			Please Select		Please Select	Please Select	No	
Contract 29	No			Please Select		Please Select	Please Select	No	
Contract 30	No			Please Select		Please Select	Please Select	No	
Contract 31	No			Please Select		Please Select	Please Select	No	
Contract 32	No			Please Select		Please Select	Please Select	No	
Contract 33	No			Please Select		Please Select	Please Select	No	
Contract 34	No			Please Select		Please Select	Please Select	No	
Contract 35	No			Please Select		Please Select	Please Select	No	
Contract 36	No			Please Select		Please Select	Please Select	No	
Contract 37	No			Please Select		Please Select	Please Select	No	
Contract 38	No			Please Select		Please Select	Please Select	No	
Contract 39	No			Please Select		Please Select	Please Select	No	
Contract 40	No			Please Select		Please Select	Please Select	No	

Submit Cancel

8) Once you have filled in your contracts and you have clicked submit, you have completed your annual statistical return for 2013. The process for the 2014 return is the same using the link in the relevant invitation email.

**Annex 2 – How to fill in your Statistics Returns for 2013 and 2014 – Guidance for Registered Users ONLY**

**NOTE: This guidance is only for those users as specifically directed by Crown Commercial Service, all other users should follow the guidance at Annex 1.**

Responses to the data gathering exercise may be made either online (Option A) or offline and then uploaded into the eSourcing Suite (Option B)

**OPTION A – RESPONDING TO THE ONLINE QUESTIONNAIRE**

These general instructions are contained in the invitation email you will have received, the screenshots relate to the steps in the email:

Please follow the instructions below to access the survey:-

1. Logon to CCS eSourcing Suite
  - i. Enter your user name in the Name field.
  - ii. Enter your password in the Password field.
  - iii. Click the Login button.
2. From the main menu select RFx(s) > Manage RFx(s).
3. Locate the event in the list of RFx(s).
4. Select [Buyer Survey] in the RFx Type column to access the survey.
5. Select [PLACE RESPONSE] in order to prepare your response.
6. Select [Submit all Draft Responses] to submit your response.

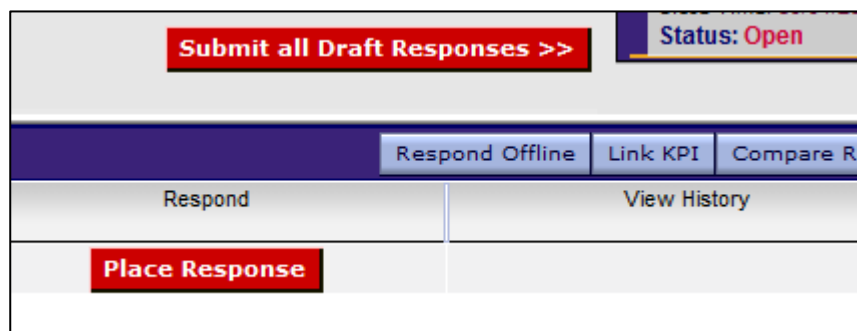
Step 2



Step 3 and 4



Step 5



After selecting [**Place Response**] populate the data on the next screen and then after data input finish by selecting [**Save**] at the foot of the screen and then [**Close**] to exit the data capture screen.

You can return to add new data, and amend existing, by logging back into the CCS eSourcing Suite and at Step 5 selecting [**Revise Response**]. When all the required data had been entered, move to Step 6.

Step 6 – Select [**Submit all Draft Responses**] to submit your response

## OPTION B – RESPONDING TO THE OFFLINE QUESTIONNAIRE

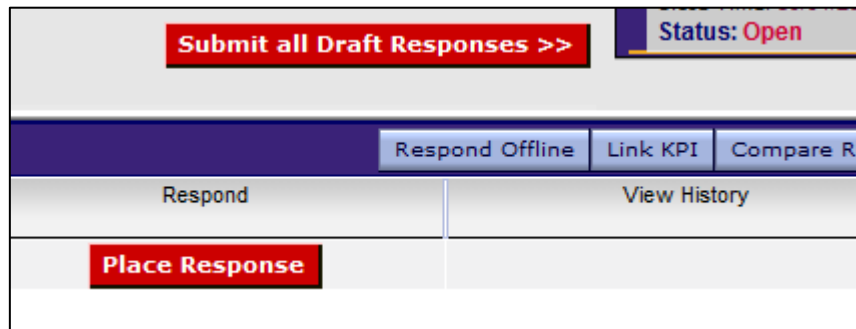
These general instructions are contained in the invitation email you will have received, the screenshots relate to the steps in the email:

- Please follow the instructions below to access the survey:-
1. Logon to CCS eSourcing Suite
    - i. Enter your user name in the Name field.
    - ii. Enter your password in the Password field.
    - iii. Click the Login button.
  2. From the main menu select RFX(s) > Manage RFX(s).
  3. Locate the event in the list of RFX(s).
  4. Select [Buyer Survey] in the RFX Type column to access the survey.
  5. Select [PLACE RESPONSE] in order to prepare your response.
  6. Select [Submit all Draft Responses] to submit your response.

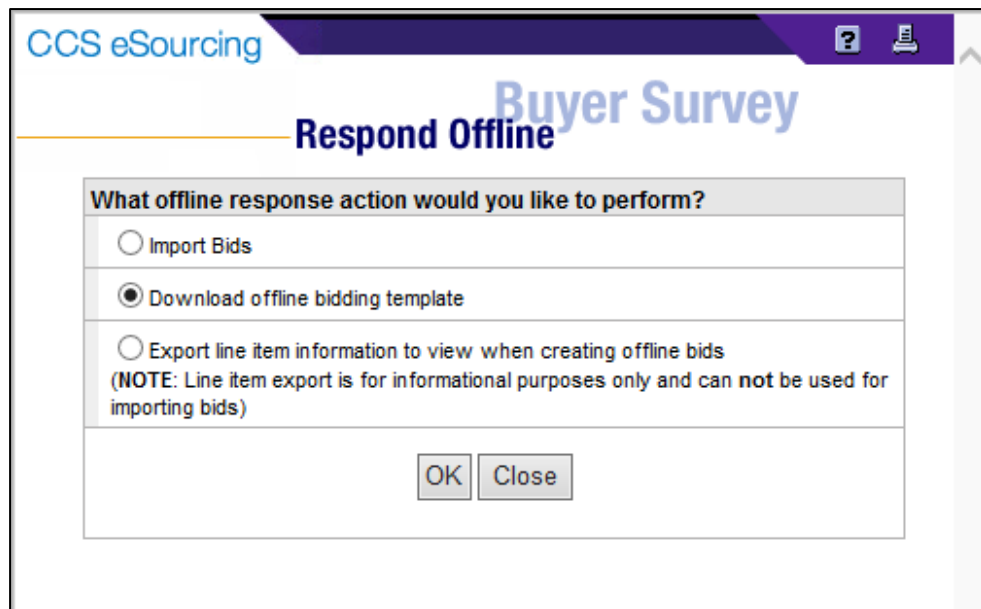
Step 2



Step 3 and 4



Instead of selecting [Place Response] as in Option A, select [Respond Offline] and the following screen will appear:





Select [OK]

CCS eSourcing Utilities

### Export Data

Exporting Bid Template for Buyer Survey

Language *	British English
Number Format	#,###.##
File Name: *	GirlingCSM1010_20150129091856
File Type:	<input type="radio"/> CSV <input type="radio"/> XLS <input checked="" type="radio"/> XLSX
Zip File	<input type="checkbox"/>

Export Close

\* Required Field

The XLS / XLSX file type usually works best if you plan to complete the template in Microsoft Excel.

Virus scanning is enabled for attachments. The export job will fail if it contains any infected files.

Select [Export]

CCS eSourcing Utilities

### Data Manager

Jobs (176) Type Import/Export Status All Server All

Current Page: 1 (1-50 of 176)

Organization	User	Job ID	Type	Description	Status	Time Submitted	Time Scheduled	Time Completed
Crown Co...	Girling,...	89...	Integrat...	Export -...	Done - <a href="#">Click here to download results.</a>	29/01/20...		29/01/20...

In the status column the request to export the offline sheet may initially be listed as **“Pending”**, but on completion will be listed as above. Click on the link **“Done – Click here.....”** to download to your desktop and populate the relevant fields in the Excel workbook with the required data. When populated, save and exit the Excel workbook.

Submit all Draft Responses >> Status: Open

Respond Offline Link KPI Compare Re

Respond View History

Place Response

To import the offline sheet, login to the event using Steps 1 to 4 in the invitation email and then select [Respond Offline]

The screenshot shows a web interface for CCS eSourcing. At the top, there is a purple header with the CCS eSourcing logo on the left and a help icon on the right. Below the header, the text 'Buyer Survey' is displayed in a large, light blue font. Underneath, the heading 'Respond Offline' is shown in a bold, dark blue font. The main content area contains a form titled 'What offline response action would you like to perform?'. This form has three radio button options: 'Import Bids' (which is selected), 'Download offline bidding template', and 'Export line item information to view when creating offline bids'. A note below the third option states: '(NOTE: Line item export is for informational purposes only and can not be used for importing bids)'. At the bottom of the form are two buttons: 'OK' and 'Close'.

Select "Import Bids"

The screenshot shows a web interface for CCS eSourcing. At the top, there is a purple header with the CCS eSourcing logo on the left and a help icon on the right. Below the header, the text 'Utilities' is displayed in a large, light blue font. Underneath, the heading 'Import Data' is shown in a bold, dark blue font. The main content area contains a form titled 'Select a file to import.'. This form has several fields: 'Language \*' with a dropdown menu set to 'British English'; 'Number Format' with a dropdown menu set to '#,###.##'; 'File Type: \*' with three radio button options: 'XML', 'CSV', and 'XLS / XLSX' (which is selected); 'Import Type: \*' with a dropdown menu set to 'Bids/Responses'; and 'File: \*' with a text input field and a 'Browse...' button. At the bottom of the form are two buttons: 'Import' and 'Close'. Below the form, there is a legend: '\* Required Field'.

Select **[Browse]** and navigate to the offline sheet, then select **[Open]** to pick the file.

CCS eSourcing Utilities

### Import Data

Select a file to import.

Language \*

Number Format

File Type: \*  XML  CSV  XLS / XLSX

Import Type: \*

File: \*

\* Required Field

Select **[Import]**

CCS eSourcing Utilities

### Data Manager

Jobs (180) Type  Status  Server

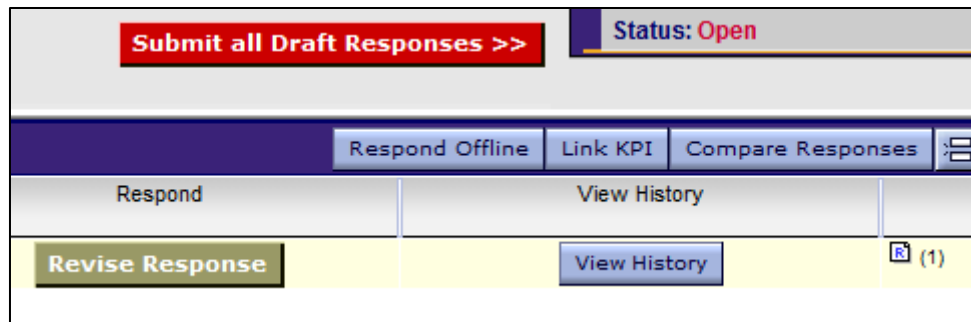
Current Page:1 (1-50 of 180) 1 2 3 4

Organization	User	Job ID	Type	Description	Status	Time Submitted	Time Scheduled	Time Completed	
Crown Co...	Girling...	69...	Integrat...	Import -...	Done	29/01/20...		29/01/20...	<input type="checkbox"/>

In the status column the request to import the offline sheet may initially be listed as **"Pending"**, but on completion will be listed as **"Done"**. Close this window.

Status: Open

Select [**Submit all Draft Responses**] and confirm, to make your response available for collection.



The screen should refresh similar to this layout:

- [**Place Response**] now showing as [**Revise Response**]
- [**View History**] now displayed
- “R” icon now displayed with a mouse-over showing “Placed Response” instead of “DB”

On completion, you can logout of the eSourcing Suite.

### **Annex 3 – EU Public Procurement: Statistics for 2013 and 2014**

Information is required in respect of each supply, work and Part A service awarded in 2013 and in 2014. All authorities must provide a contact name, e-mail address and telephone number.

In obtaining and preparing returns, departments should note the following general points:

a) EU procurement Thresholds applicable in **2013**:

	SUPPLY	WORKS	SERVICES
Entities listed in Schedule 1 (See Annex A)	£113,057	£4,348,350	£ 113,057*
Other public sector contracting authorities	£173,974	£4,348,350	£ 173,974

\*With the exception of the following services, which have a threshold of £173,974

Part B (residual) services

Research & Development Services (Category 8)

The following Telecommunications services in Category 5

- CPC 7524 - Television and Radio Broadcast services
- CPC 7525 - Interconnection services
- CPC 7526 - Integrated telecommunications services

Subsidised services contracts under regulation 34 of the Public Contracts Regulations 2006

b) EU procurement Thresholds applicable in **2014**:

	SUPPLY	WORKS	SERVICES
Entities listed in Schedule 1 (See Annex A)	£111,676	£4,322,012	£ 111,676*
Other public sector contracting authorities	£172,514	£4,322,012	£ 172,514

\*With the exception of the following services, which have a threshold of £172,514

## Part B (residual) services

### Research & Development Services (Category 8)

The following Telecommunications services in Category 5

- CPC 7524 - Television and Radio Broadcast services
- CPC 7525 - Interconnection services
- CPC 7526 - Integrated telecommunications services

Subsidised services contracts under regulation 34 of the Public Contracts Regulations 2006

- c) Contracting authorities are required to provide statistics for each contract at or above the relevant threshold awarded under the Regulations during 2013 and 2014 (but see note 1. below on aggregation). Only contracts which were awarded during calendar year 2013 and 2014 should be included in returns. Contracts for which the award procedure commenced in 2013 or 2014 but for which the contract was not awarded until 2015 should not be included.
- d) Actual or estimated **total** contract values, exclusive of VAT, should be given. Please do not include annual figures.
- e) Contracting authorities should include contracts which they have themselves awarded. This includes procurements for which another contracting authority has acted as an agent. A procurement by one department from another should be included (by the former) only if the requirement was put out to competition and awarded under the Regulations. Details of procurements not covered by contracts, for example customer service agreements with gas or water companies, are not required. Purchase orders are regarded as contracts.
- f) A number of contracting authorities have formed consortia to act as central purchasing bodies. Such consortia are themselves contracting authorities and should submit a return, either under their own name or one of the consortium members.
- g) Wherever possible, the price at which a contract was awarded should be used. If this is not possible, e.g. because the contract was for call-offs up to a certain value, or contains a variation of price formula or provides the contracting authority with an option to extend - the best estimate of the total value should be used.
- h) Where a framework agreement has been awarded in accordance with the rules this should be indicated on the input form. The value shown should be the estimated value of anticipated call-offs or the maximum possible value of call-offs. Where more than one framework agreement has been awarded in response to a single requirement authorities should estimate the likely total value of call-offs. Authorities should not report the value of call-offs, either from their own or from centrally arranged frameworks that have been awarded on their behalf. The assumption should be that the authority that has awarded the framework would report the information. Similarly Schedule 1 bodies should not include any below threshold information on such centrally arranged frameworks.
- i) Care should be taken to state the nationality of suppliers and not the origin of goods or services. For instance, a contract for foreign built computers bought from a UK dealer or a UK subsidiary of the manufacturer should be treated as a UK contract.
- j) CPV codes must be used. The relevant code can be obtained from the contract notice or contract award notice used for the procurement in question. Alternatively they can be downloaded from the SIMAP website –[http://simap.europa.eu/codes-and-nomenclatures/codes-cpv/codes-cpv\\_en.htm](http://simap.europa.eu/codes-and-nomenclatures/codes-cpv/codes-cpv_en.htm) . We have had clarification from the European Commission that it is only necessary to include the category of CPV code i.e. the first five digits. For example, “15321” is sufficient for procurements for orange juice (CPV 15321100-5)

- k) Contracting Authorities should indicate whether contracts advertised in the Official Journal (OJEU) were awarded under the open, restricted, competitive dialogue or negotiated procedure. For contracts awarded under the negotiated procedure, whether advertised in the OJEU or not, the appropriate justification for the use of that procedure should be given. The text of the possible justifications set out in the regulations is reproduced at Annex 4.

## **Annex 4 – Justification for the use of the Negotiated Procedure**

Contracting authorities should indicate in their return the justification for use of the negotiated procedure by reference to the appropriate letter **(A-O)** which relate to the specific provisions shown below, taken from regulations 13 and 14 of the Public Contracts Regulations 2006.

### **Part 1**

#### **Use of the negotiated procedure with prior publication of a contract notice.**

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##### **A**

A contracting authority may use the negotiated procedure with the prior publication of a contract notice in accordance with regulation 17(3) in the following circumstances—

- (a) subject to regulation 14(1)(a)(i), in the event that the procedure leading to the award of a contract by the contracting authority using the open procedure, the restricted procedure or the competitive dialogue procedure was discontinued because of—

- (i) irregular tenders; or

- (ii) unacceptable tenders following an evaluation made in accordance with regulation 15(11) or 16(7); but only if the original terms of the proposed contract offered in the discontinued procedure have not been substantially altered in the negotiated procedure;

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##### **B**

- (b) exceptionally, when the nature of the work or works to be carried out, the goods to be purchased or hired or the services to be provided under the contract or the risks attaching to them are such as not to permit prior overall pricing;

##### **C (services only)**

- (c) in the case of a public services contract, when the nature of the services to be provided, in particular in the case of services specified in category 6 of Part A of Schedule 3 and intellectual services, such as services involving the design of work or works, is such that specifications cannot be established with sufficient precision to permit the award of the contract using the open procedure or the restricted procedure; or

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##### **D (works only)**

- (d) in the case of a public works contract, when the work or works are to be carried out under the contract solely for the purpose of research, testing or development but not with the aim of ensuring profitability or to recover research and development costs.
-



## **Part 2**

### **Use of the negotiated procedure without prior publication of a contract notice**

(1) A contracting authority may use the negotiated procedure without the prior publication of a contract notice in accordance with regulation 17(3) in the following circumstances—

E

(a) in the case of a public contract—

(i) when a contracting authority is using the negotiated procedure in accordance with regulation 13(a) and invites to negotiate the contract every economic operator which submitted a tender following an invitation made during the course of the discontinued open procedure or restricted procedure (not being a tender which was excluded in accordance with regulation 15(11) or 16(7));

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F

(ii) subject to paragraph (2), in the absence of tenders, suitable tenders or applications in response to an invitation to tender by the contracting authority using the open procedure or the restricted procedure but only if the original terms of the proposed contract offered in the discontinued procedure have not been substantially altered in the negotiated procedure;

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G

(iii) when, for technical or artistic reasons, or for reasons connected with the protection of exclusive rights, the public contract may be awarded only to a particular economic operator;

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H

(iv) when (but only if it is strictly necessary) for reasons of extreme urgency brought about by events unforeseeable by, and not attributable to, the contracting authority, the time limits specified in—

(aa) regulation 15 for the open procedure;

(bb) regulation 16 for the restricted procedure; or

(cc) regulation 17 for the negotiated procedure;

cannot be met;

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I (supplies only)

(b) in the case of a public supply contract—

(i) when the goods to be purchased or hired under the contract are to be manufactured solely for the purpose of research, experiment, study or development but not when the goods are to be purchased or hired with the aim of ensuring profitability or to recover research and development costs;

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J (supplies only)

(ii) subject to paragraph (3), when the goods to be purchased or hired under the contract are required by the contracting authority as a partial replacement for, or in addition to, existing goods or an installation and when to obtain the goods from a supplier other than the supplier which supplied the existing goods or the installation would oblige the contracting authority to acquire goods having different technical characteristics which would result in—

(aa) incompatibility between the existing goods or the installation and the goods to be purchased or hired under the contract; or

(bb) disproportionate technical difficulties in the operation and maintenance of the existing goods or the installation;

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K (supplies only)

(iii) for the purchase or hire of goods quoted and purchased on a commodity market;

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L (supplies only)

(iv) to take advantage of particularly advantageous terms for the purchase of goods in a closing down sale or in a sale brought about because a supplier is subject to a procedure referred to in regulation 23(4)(a), (b) or (c);

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M (services only)

(c) in the case of a public services contract, when the rules of a design contest require the contract to be awarded to the successful contestant or to one of the successful contestants, provided that all successful contestants are invited to negotiate the contract;

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N (works or services only)

(d) in the case of a public works contract or a public services contract—

(i) subject to paragraph (4), when a contracting authority wants an economic operator which has entered into a public works contract or a public services contract with the contracting authority to carry out additional work or works or provide additional services which were not included in the project initially considered or in the original public works contract or public services contract but which through unforeseen circumstances have become necessary, and such work, works or services—

(aa) cannot for technical or economic reasons be carried out or provided separately from those under the original contract without major inconvenience to the contracting authority; or

(bb) can be carried out or provided separately from those under the original contract but are strictly necessary to the later stages of the performance of that contract; and

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O (works or services only)

(ii) subject to paragraph (5), when a contracting authority wants an economic operator which has entered into a public works contract or a public services contract with that contracting authority to carry out new work or works or provide new services which are a repetition of the work or works carried out or the services provided under the original contract and which are in accordance with the project for the

**Annex 5 – Bodies Covered by Schedule 1 to the Public Supply Contracts Regulations (correct for PCR 2006 with which this return is relevant)**

**Cabinet Office**

Office of the Parliamentary Counsel

**Central Office of Information**

**Charity Commission**

**Crown Estate Commissioners (Vote Expenditure Only)**

**Crown Prosecution Service**

**Department for Business, Innovation and Skills**

Competition Commission

Gas and Electricity Consumers' Council

Higher Education Funding Council for England

Meteorological Office

National Weights and Measures Laboratory

Office of Manpower Economics

Patent Office

**Department of Communities and Local Government**

Rent Assessment Panels

**Department for Culture, Media and Sport**

British Library

British Museum

Commission for Architecture and the Built Environment

The Gambling Commission

Historic Buildings and Monuments Commission for England (English Heritage)

Imperial War Museum

Museums, Libraries and Archives Council

National Gallery

National Maritime Museum

National Portrait Gallery

Natural History Museum

Science Museum

Tate Gallery

Victoria and Albert Museum

Wallace Collection

**Department for Education**

**Department for Energy and Climate Change**

**Department for Environment, Food and Rural Affairs**

Agricultural Dwelling House Advisory Committees

Agricultural Land Tribunals

Agricultural Wages Board and Committees

Cattle Breeding Centre

Countryside Agency

Plant Variety Rights Office

Royal Botanic Gardens, Kew

Royal Commission on Environmental Pollution

**Department of Health**

Dental Practice Board

National Health Service Strategic Health Authorities

NHS Foundation Trusts

Prescription Pricing Authority

**Department for International Development**

**Department of the Procurator General and Treasury Solicitor**

Legal Secretariat to the Law Officers

**Department for Transport**

Maritime and Coastguard Agency

**Department for Work and Pensions**

Disability Living Allowance Advisory Board

Independent Tribunal Service

Medical Boards and Examining Medical Officers (War Pensions)

Occupational Pensions Regulatory Authority

Regional Medical Service

Social Security Advisory Committee

**Export Credits Guarantee Department**

**Foreign and Commonwealth Office**

Wilton Park Conference Centre

**Government Actuary's Department**

**Government Communications Headquarters**

**Home Office**

HM Inspectorate of Constabulary

**House of Commons****House of Lords****Ministry of Defence**

Defence Equipment & Support

Defence Infrastructure Organisation

**Ministry of Justice**

Boundary Commission for England

Combined Tax Tribunal

Council on Tribunals

Court of Appeal - Criminal

Employment Appeals Tribunal

Employment Tribunals

HMCS Regions, Crown, County and Combined Courts (England and Wales)

Immigration Appellate Authorities

Immigration Adjudicators

Immigration Appeals Tribunal

Lands Tribunal

Law Commission

Legal Aid Fund (England and Wales)

Office of the Social Security Commissioners

Parole Board and Local Review Committees

Pensions Appeal Tribunals

Public Trust Office

Supreme Court Group (England and Wales)

Transport Tribunal

**The National Archives****National Audit Office****National Savings and Investments****National School of Government****Northern Ireland Assembly Commission****Northern Ireland Court Service**

Coroners Courts

County Courts

Court of Appeal and High Court of Justice in Northern Ireland

Crown Court

Enforcement of Judgements Office

Legal Aid Fund

Magistrates' Courts

Pensions Appeals Tribunals

**Northern Ireland, Department for Employment and Learning**

**Northern Ireland, Department for Regional Development**

**Northern Ireland, Department for Social Development**

**Northern Ireland, Department of Agriculture and Rural Development**

**Northern Ireland, Department of Culture, Arts and Leisure**

**Northern Ireland, Department of Education**

**Northern Ireland, Department of Enterprise, Trade and Investment**

**Northern Ireland, Department of the Environment**

**Northern Ireland, Department of Finance and Personnel**

**Northern Ireland, Department of Health, Social Services and Public Safety**

**Northern Ireland, Office of the First Minister and Deputy First Minister**

**Northern Ireland Office**

Crown Solicitor's Office

Department of the Director of Public Prosecutions for Northern Ireland

Forensic Science Laboratory of Northern Ireland

Office of the Chief Electoral Officer for Northern Ireland

Police Service of Northern Ireland

Probation Board for Northern Ireland

State Pathologist Service

**Office of Fair Trading**

**Office for National Statistics**

National Health Service Central Register

**Office of the Parliamentary Commissioner for Administration and Health Service Commissioners**

**Paymaster General's Office**

**Postal Business of the Post Office**

**Privy Council Office**

**Public Record Office**

**HM Revenue and Customs**

The Revenue and Customs Prosecutions Office

**Royal Hospital, Chelsea**

**Royal Mint**

**Rural Payments Agency**

**Scotland, Auditor-General**

**Scotland, Crown Office and Procurator Fiscal Service**

**Scotland, General Register Office**

**Scotland, Queen's and Lord Treasurer's Remembrancer**

**Scotland, Registers of Scotland**

**The Scotland Office**

**The Scottish Ministers**

Architecture and Design Scotland

Crofters Commission

Deer Commission for Scotland

Lands Tribunal for Scotland

National Galleries of Scotland

National Library of Scotland

National Museums of Scotland

Royal Botanic Garden, Edinburgh

Royal Commission on the Ancient and Historical Monuments of Scotland

Scottish Further and Higher Education Funding Council

Scottish Law Commission

Community Health Partnerships

Special Health Boards

Health Boards

The Office of the Accountant of Court

High Court of Justiciary

Court of Session

HM Inspectorate of Constabulary

Parole Board for Scotland

Pensions Appeal Tribunals

Scottish Land Court

Sheriff Courts

Scottish Police Services Authority

Office of the Social Security Commissioners

The Private Rented Housing Panel and Private Rented Housing Committees

Keeper of the Records of Scotland

**The Scottish Parliamentary Body Corporate**

**HM Treasury**

United Kingdom Debt Management Office

**The Wales Office (Office of the Secretary of State for Wales)**

**The Welsh Ministers**

Higher Education Funding Council for Wales

Local Government Boundary Commission for Wales

The Royal Commission on the Ancient and Historical Monuments of Wales

Valuation Tribunals (Wales)

Welsh National Health Service Trusts and Local Health Boards

Welsh Rent Assessment Panels