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A Complete Guide to New Legislative Requirements under the Procurement Act 2023



This guide summarises the new legislative requirements being introduced under the Procurement Act 2023 all in one place.

March 2026

What are the new legislative requirements being introduced under the Procurement Act 2023?

1. At the launch of the Procurement Act 2023 (the Act) in February 2025 the Government introduced a series of new transparency requirements. Due to the phased rollout of the Transforming Public Procurement Programme (TPP), the Government has now commenced several remaining sections of the Act. This document summarises the remaining transparency regulations, their commencement dates and accompanying implementation support for contracting authorities.

2. The new elements being commenced are:
 - a. **Section 69** (Payments compliance notices)
 - b. **Section 70** (Information about payments under public contracts)
 - c. **Section 71** (Assessment of contract performance)
 - b. **Below Threshold Identifiers.** This will require contracting authorities to collect and publish supplier identifiers in the below-threshold contract details notice for any supplier awarded a notifiable below-threshold contract.



Legislative Commencement Timings

3. Section 69 (publication of Payments Compliance Notices) was commenced on 1 January 2026 (other than in respect of procurement regulated by the Welsh Ministers¹), and will be commenced on 1 April 2026 in respect of procurement regulated by the Welsh Ministers.
4. Section 70 (publication of information about payments under public contracts) will be commenced on 1 April 2026 (other than in respect of procurement regulated by the Welsh Ministers).
5. Section 71 (publication of information on contract performance) was commenced on 1 January 2026.
6. The requirement to include a supplier's unique identifier in notifiable below threshold contracts will take effect from 1 April 2026 (other than in respect of procurement regulated by the Welsh Ministers). The Welsh Government already mandates this requirement via the Procurement (Wales) Regulations 2024.



1. See regulation 2(3) of the Procurement Act 2023 (Commencement No. 4) Regulations 2025 for the meaning of "procurement regulated by the Welsh Ministers".

Legislative Requirements

Section 69 - Payments Compliance Notices

What is a Payments Compliance Notice?

7. The notice reports the contracting authority's average time taken to pay invoices to suppliers following receipt. This notice demonstrates the contracting authority's compliance with the implied 30-day payment terms set out in section 68 of the Act. The notice covers a 6-month reporting period.
8. Section 69(3) defines a reporting period. With section 69 being commenced from 1 January 2026, the first reporting period will legally run from 1 January 2026 until 31 March 2026. However, in respect of the publication of their first Payments Compliance Notice, we have recommended contracting authorities cover a reporting period from 1 October 2025 until 31 March 2026. This will ensure a full 6 month comparison with the next reporting period). The second reporting period will be 1 April 2026 until 30 September 2026. Each successive six months is a new reporting period.
9. This timing will differ in respect of a procurement regulated by the Welsh Ministers.



What is published

10. **Regulation 38 of the Procurement Regulations 2024**² sets out what the Payments Compliance Notice must include:³

- a. the contracting authority information,
- b. the dates of the first and the last days of the reporting period to which the payments compliance notice relates,
- c. in respect of sums paid by the contracting authority under public contracts during the reporting period:
 - i. the average number of days taken to make those payments, where day 1 is the first day after the invoice day;
 - ii. the percentage of those payments which were made, where day 1 is the first day after the invoice day:
 - within the period beginning on day 1 and ending with day 30;
 - within the period beginning on day 31 and ending with day 60;
 - on or after day 61,
- d. in respect of sums which became payable under public contracts during the reporting period, the percentage of those payments which were not made within the reporting period, and
- e. a statement of the director or similar officer of the contracting authority who is responsible for the contracting authority's finances setting out that they approve the payments compliance notice and that person's name and job title.



2. As amended by **regulation 8** of the Procurement Act 2023 (Consequential and Other Amendments) Regulations 2025.

3. See regulation 39 of the Procurement (Wales) Regulations 2024 in respect of publication requirements for procurement regulated by the Welsh Ministers.

Timing of Publication

11. The first reporting period **legally runs from 1 January 2026 until 31 March 2026**. However, to ensure a full six-month reporting period for the first notice, we recommend contracting authorities report on the six-month period from 1 October 2025 until 31 March 2026.
12. This means contracting authorities will be reporting on the timings of payments made against public contracts during a period prior to section 69 coming into force (i.e. looking back and collecting information on timings of payments from 1 October 2025 onwards).
13. The first UK17 Payments Compliance Notice must be published **between 31 March 2026 and 29 April 2026**.
14. Following that, the reporting period is each successive six months, with the Payments Compliance Notice to be published within 30 days of the last day of the reporting period.
15. This timing will differ in respect of a procurement regulated by the Welsh Ministers.

Digital Implementation

16. The notice will be available in the Find a Tender Service (FTS) interface by end of March 2026.
17. E-Senders will be provided with details of the schema, however E-Sender build will be optional. Contracting authorities should contact their E-Senders to confirm if they plan to support the notice.

Section 70 - Information about payments under public contracts

What is contract payment information?

18. Section 70 sets out the obligations to publish information about payments under public contracts (referred to as “contract payment information” in the Procurement Regulations 2024⁴). It provides that a contracting authority must publish specified information about payments of more than £30,000 (including VAT⁵) made by the authority under public contracts.
19. The information is to be published quarterly. This requirement applies to all public contracts procured under the Act in accordance with a procurement procedure that commenced on or after 1 April 2026⁶ (when section 70 was brought into force⁷).
20. Unlike other transparency requirements, contracting authorities will be able to upload a simple template for all relevant payments made in each quarter, rather than a single notice per payment. This template will be available to download in their buyer area.
21. In accordance with section 70(4) the publication obligation does not extend to a public contract that is:
- a. a utilities contract awarded by a private utility,
 - b. a concession contract,
 - c. awarded by a school,
 - d. awarded by a transferred Northern Ireland authority, unless it is awarded as part of a procurement under a reserved procurement arrangement or devolved Welsh procurement arrangement, or
 - e. awarded as part of a procurement under a transferred Northern Ireland procurement arrangement.

4. See regulation 38A, inserted by regulation 3(7) of the Procurement (Amendment) Regulations 2026.

5. As per section 123(2).

6. See regulation 6 of the Procurement (Amendment) Regulations 2026.

7. As per regulation 2(2)(b) of the Procurement Act 2023 (Commencement No. 4) Regulations 2025.

22. Additionally, section 70 does not apply to framework agreements (under which no payments are made) nor dynamic markets (which are not public contracts). The requirement to publish contract payment information also does not apply to below-threshold contracts or exempted contracts, which are not public contracts. Section 70 will apply to resulting contracts from framework agreements or dynamic markets if they are above threshold (and therefore a public contract).
23. Commencement for this section in respect of a procurement regulated by the Welsh Ministers will take place separately in the future.

Valuing contracts

24. Where a procurement is divided into lots, it is possible that one or more of the contracts awarded in accordance with that procurement procedure are below the applicable threshold for a public contract, and therefore payments made under those contracts would not be subject to the obligation in section 70.

25. **Worked example:** A procurement has a total estimated value of up to £250,000 and is divided into four lots of equal value and a contract awarded for each lot. Each of these contracts is set out in the contract details notice. While the procurement is covered procurement (as the total value is above the relevant threshold amount), the value of each individual contract is below the applicable threshold, so from the point of award onwards these would be classed as below-threshold contracts. As a result, the contracting authority would not be required to publish information in respect of any payments made under any of the contracts in this example.

26. There is no requirement to group multiple payments below £30,000 paid in respect of the same public contract over the quarter for valuation purposes. So, for example, if a contracting authority makes one payment each month valued at £20,000 (inc. VAT) in respect of the same contract, these do not need to be published as part of the authorities quarterly contract payment information even though collectively the payments total £60,000 for the quarter. However, individual payments of more than £30,000 including VAT which fall below £30,000 once net of VAT must still be included in the published information.

What is published

27. Regulation 38A⁸ of the Procurement Regulations 2024 sets out what must be published as part of the contract payment information, specifically:

- a. in respect of the contracting authority which made the payment, the authority's:
 - i. name;
 - ii. contact postal and email addresses;
 - iii. unique identifier;
- b. if different from (a), in respect of the contracting authority which published the contract details notice under section 53 of the Act in respect of the contract under which the payment has been made, the authority's:
 - i. name;
 - ii. contact postal and email addresses;
 - iii. unique identifier;
- c. the unique identifier for the procurement - this is the contracting process identifier (OCID) (automatically assigned by the Central Digital Platform (CDP) and visible on the corresponding UK7 contract details notice);
- d. the unique identifier for the contract to which the payment relates (automatically assigned by the CDP and visible on the corresponding UK7 contract details notice);
- e. the name of the supplier to whom the payment was made and the unique identifier for the supplier

(automatically assigned by the CDP and visible on the corresponding UK7 contract details notice);

- f. the value of the payment net of VAT;
- g. the date when the payment was made.

28. Regulation 38A(3) also provides that the unique identifiers for the contract and procurement are not required when no notice relating to the contract has previously been published on the CDP and the identifier is not available.

Timing of publication

29. Section 70 only requires contracting authorities (unless exempt) to publish information about any payment of more than £30,000 (inc. VAT) made under public contracts where the procurement of that contract **commenced on or after 1 April 2026**.

30. The contract payment information must be published at least quarterly (within 30 days of each quarter end) on the CDP.

31. Contracting authorities will not need to publish payments made under public contracts where the procurement of that contract commenced prior to 1 April 2026, irrespective of when the contract is awarded and the payments made.

32. Section 70 does not apply to previous regime contracts (for example, contracts procured under the Public Contracts Regulations 2015, Concession Contracts Regulations 2016, Utilities Contracts Regulations 2016 or the Defence and

8. As inserted by regulation 3(7) of the Procurement (Amendment) Regulations 2026.

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Security Public Contracts Regulations 2011).

33. Of course contracting authorities may voluntarily publish information in respect of such contracts, provided that the minimum level of information required to be published by regulation 38A (as set out above) is available and included for each payment.

34. For the purposes of section 70 a procurement is commenced before 1 April 2026 if before that date:

- a. a tender notice has been published in accordance with section 21(1), or provided in accordance with section 40(1), of the Act;
- b. a qualifying utilities dynamic market tender notice has been provided in accordance with section 40(1) of the Act;
- c. a transparency notice has been published in accordance with section 44(1) of the Act;
- d. in respect of a contract to be awarded in accordance with a framework (to which none of (a) to (c) applies), the contracting authority has contacted the supplier in order to commence the award of that contract;
- e. a below-threshold tender notice has been published in accordance with section 87(1) of the Act;
- f. a contracting authority has invited the submission of tenders in relation to a regulated below-threshold contract

(see section 85(1) of the Act); or

- g. in respect of a below-threshold contract to which neither (e) nor (f) applies, a contracting authority has contacted a supplier in order to commence the award of that contract

35. The first payment submission will technically be due by the 29 July 2026 (i.e. before the end of the period of 30 calendar days beginning with the last day of the first quarter). However, we expect some lag time before the first payments are made under in-scope contracts (i.e. those awarded following a procurement which commenced on or after 1st April 2026). Based on the same period this year only 160 above threshold contracts have been awarded in total across all contracting authorities. Given this it may be some time before individual contracting authorities make payments to which section 70 applies and they are required to publish contract payment information; so there is time for authorities to prepare for this requirement.

36. Therefore, in time for 1 April 2026 contracting authorities will need to:

- a. review their pipeline to flag procurements due to commence (as per paragraph 34) after 1 April 2026 as in scope (once awarded and payment commence);
- b. update internal processes (where required) to ensure payments can be matched to contracts;

- c. confirm any assurance mechanisms are in place for payments e.g to assure payments are matched correctly and any exempt/sensitive payments are removed before publication;
- d. determine a person(s) responsible for compiling and uploading the contract payment information;
- e. register a nominated person(s) on the CDP and add them as a user to the organisation account.

Digital Implementation

37. Digital functionality will be available on Find a Tender by the end of March 2026.



Section 71 - Contract Performance Notices

What is a Contract Performance Notice?

38. A Contract Performance Notice is a notice that is used to publish the information required to be published under section 71 of the Act. The Contract Performance Notice fulfils two functions:
- a. recording the performance of suppliers against key performance indicators (KPIs) where section 52(1) of the Act applies; and
 - b. recording information relating to particular breaches or failure to perform a public contract except where the breach results in a contract being terminated in full (in which case a contract termination notice must be published which is already in force).
39. Requirements under section 71 do not apply to private utilities, and requirements under section 71(5) (i.e. recording information relating to particular breaches or failure to perform a public contract) do not apply in relation to a light touch contract.

What is published

40. **Regulation 39 of the Procurement Regulations 2024** sets out the information to be published in the contract performance notice when reporting on KPIs under section 71(2). The notice must include
- a. the contracting authority information;
 - b. the title of the procurement;
 - c. the unique identifier for the procurement and the public contract (as provided by the platform);
 - d. a description of the three KPIs that the contracting authority regards as most material to performance of the contract obligations as at the time the contract performance notice is published;
 - e. a statement that the notice is being used to set out the contracting authority's assessment of performance against the selected KPIs;
 - f. information about the identity of the supplier(s) to whom the notice relates;
 - g. the contracting authority's assessment of performance against the selected KPIs in accordance with the ratings set out in regulation 39(5) (as replicated in the below table at paragraph 17); and
 - h. the time period to which the contracting authority's assessment applies.

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41. Where there has been a breach or failure to perform under a public contract and the notice is being published under section 71(5), the notice must include the information set out in regulation 39(7). In both cases this includes:
- a. the contracting authority information;
 - b. the title of the procurement;
 - c. the unique identifier for the procurement and the public contract;
 - d. information about the identity of the supplier(s) to whom the notice relates;
 - e. that section 71(5) of the Act applies and the circumstances giving rise to the application of that section;
 - f. a statement that the notice is being published either because the supplier has breached the contract and the breach resulted in one of the events referred to in section 71(3)(b), or because the supplier is not performing a public contract to the contracting authority's satisfaction; and
 - g. the additional information set out in regulation 39(7)(g)-(m) in respect of the breach or failure to perform (for example, remediation or improvement plans, warning or breach notices), as relevant.
42. Where a supplier has breached a public contract, the Contract Performance Notice must also set out further information including:
- a. whether the breach resulted in partial termination and the extent to which the contract has been terminated, along with the associated date;
 - b. whether the breach resulted in the award of damages or a settlement agreement along with the associated dates;
 - c. where there is an award of damages or payment of other monies, the amount of damages or other monies paid and the basis on which this has been awarded (for example, whether in accordance with the public contract, a decision of a court or tribunal, or a negotiated settlement);
 - d. where there has been a recorded decision of a court or tribunal finding a breach, a link to the web page where the decision can be accessed, or a copy of the decision (which can be attached to the notice).

Timing of publication

43. In respect of public contracts procured under the Act, from 1st January 2026 contracting authorities will need to:

- a. **In relation to KPIs** - Publish a Contract Performance Notice every 12 months and on termination of the contract. The requirement to publish a contract performance notice only relates to where KPIs have been set (i.e. public contracts under the Act above £5m). However Contracting Authorities could publish a Contract Performance Notice as soon as section 71 came into force. Where a contract was commenced before 1st January 2026, the 12 month reporting period starts from the contract start date, rather than the commencement of this section.
- b. **In relation to Breach and/or failure to improve performance** - Publish a Contract Performance Notice within 30 days of the breach (that has resulted in award of damages, partial termination or settlement agreement), or in the case of poor performance, within 30 days of when the supplier fails to improve performance. This means the earliest a contracting authority may have to publish a contract performance notice in relation to breach or failure to perform would be by **30 January 2026**.

Digital Implementation

44. The Contract Performance Notice will be available on the Find a Tender Service by **30 January 2026** to enable reporting of breaches.

45. Schema details were shared with E-Senders on 15th of December 2025 to allow for use when reporting KPIs.



Below Threshold Identifiers

What does below threshold identifier requirements include?

46. There is currently no legislative requirement for contracting authorities to ensure that suppliers are registered on the CDP, or have a unique identifier, when participating in the procurement of a notifiable below-threshold contract, leading to a significant gap in data. Although not currently mandatory, supplier registration is recommended as best practice for below-threshold contracts.
47. From 1st April 2026, legislation will require contracting authorities to obtain from suppliers their unique identifier and publish them in the below-threshold Contract Details Notice in respect of any supplier awarded a notifiable below-threshold contract.
48. This requirement applies to “notifiable below-threshold” contracts, which are regulated below-threshold contracts with an estimated value, including VAT, of at least:
- a. £12,000 for central government (including NHS bodies)
 - b. £30,000 for sub-central authorities
49. To support contracting authorities in collecting supplier identifiers, the Cabinet Office has built a Public Procurement Organisation Number (PPON) lookup tool so contracting authorities can look up suppliers and check if they are registered on the CDP via their buyer portals.

What information will suppliers have to provide?

50. Suppliers will have to complete a short five minute registration process and receive a unique identifier and share it with a contracting authority before the authority publishes their Below-Threshold Contract Details Notice.
51. This simple registration process will require suppliers to provide the following details:
- a. Organisation name
 - b. Organisation address (there is an option to provide a non-UK address)
 - c. Email address
 - d. Companies House or other registry number. If suppliers do not have an existing registry number, a PPON will be generated for them.
 - e. SME or VCSE status

Timing

52. In respect of notifiable below-threshold contracts, from 1st April 2026 contracting authorities will need to:
- confirm suppliers have registered on the CDP;
 - obtain the supplier's unique identifier (provided by the CDP);
 - publish the supplier's identifier in below-threshold contract details notices.
53. The requirement will apply to all below-threshold contract details notices published after 1st April 2026. This means if a contract was awarded on 1st March 2026, but the below-threshold contract details notice was not published until 2nd April 2026, the notice would require the supplier identifier. Therefore, suppliers might need to register after being awarded the contract. (It is anticipated going forward that suppliers would likely register on the CDP during the procurement of the contract, prior to the award of the contract.)
54. If suppliers are not already registered on the CDP, the contracting authority should direct them to complete the free one-time registration on the CDP (via this [link](#)). Unlike for public contracts, suppliers will not need to complete the supplier information section before obtaining their identifier. For notifiable below-threshold contracts they will only be required to complete a basic registration to generate an identifier and share it with contracting authorities.
55. Contracting authorities can confirm that a supplier is registered using the new PPON search tool available via buyer view and should record the supplier identifier in procurement and finance records alongside the supplier's name.
56. From 1st April 2026 suppliers will need to:
- register on the CDP,
 - receive a unique identifier, and
 - share it with a contracting authority, before the authority publishes their below-threshold contract detail notice.
57. This registration will only need to be done once and will issue the supplier with a unique supplier identifier, which should be provided to the contracting authority. If a supplier already has a unique identifier because they have previously registered on the CDP, they do not need to re-register and the existing identifier can be used.
58. Contracting authorities will need to include the unique identifier in any below-threshold contract details notice published from 1st April 2026, so any supplier awarded a relevant contract where it is expected the notice will be published from this date will need to register on the CDP and share their unique identifier with the contracting authority.
59. To register, suppliers should navigate to **Find a Tender Platform** and follow

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required steps. The registration process will require the supplier to provide key organisational information including name, email address, organisation identifier etc. Once registered, the supplier will receive a unique supplier identifier (PPON). When awarded a notifiable below-threshold contract, the supplier must provide this identifier to the contracting authority.

60. The same unique identifier is then used in respect of all future procurements - whether for public contracts or below-threshold. Suppliers only need to register once. (Note if bidding for a public contract the supplier information section, must be completed.)

Digital Implementation

61. Digital functionality will be available on Find a Tender Service by April 2026.

62. Validation updates will be sent to E-Senders to allow for expected use by 1st April 2026.



Annex A - Summary of Key Dates

Deliverable	Legislative Commencement	Contracting authority (CA) timing	Digital Implementation
Section 69 (Payments compliance notices (PCN))	Legislation commenced 1st January 2026	<p>For CAs this means:</p> <ul style="list-style-type: none"> • First reporting period will run legally from 1 Jan 2026-31 March 2026. But we recommend CAs report from 1 Oct 2025-31 March 2026. • Must publish a PCN between 31st March 2026 and 29 April 2026. • CAs will be reporting on the timings of payments made under public contracts during that reporting period (i.e. looking back and collecting information on timings of payments during relevant reporting period). 	<p>Contract Performance Notice will be available on Find a Tender Service from 30 January 2026.</p> <p>E-Senders will be provided with details of the schema. Contracting authorities should contact their E-Senders to confirm if they plan to support the notice</p>
Section 70 (Information about payments under public contracts)	Legislation commences 1st April 2026	<p>For CAs this means:</p> <ul style="list-style-type: none"> • CAs publish payment info about payments of £30k or more made under public contracts arising from procurements commenced from 1st April 2026. 	Digital functionality will be available on Find a Tender Service by the end of March 2026.

Annex A - Summary of Key Dates (Continued)

<p>Section 71 (Assessment of contract performance notices (CPN))</p>	<p>Legislation commenced 1st January 2026</p>	<p>For CAs reporting KPI performance:</p> <ul style="list-style-type: none"> As the legislative trigger for publishing a CPN is within each 12 months of the lifecycle of a contract irrespective of whether the contract was commenced before or after the commencement of s71 (1st January 2026) (this is because the requirement to publish CPN only relates to where KPIs have been set i.e. public contracts under the PA23 above £5m) However CAs could publish CPN as soon as section 71 is commenced. <p>For CAs reporting breach:</p> <ul style="list-style-type: none"> The earliest a CA might have to publish a CPN would be within 30 days of a breach after section 71 came into force i.e. 30 January 2026. 	<p>The contract performance notice will be available on the Find a Tender Service by 30 January 2025 to enable reporting of breaches.</p> <p>Schema details will be shared with E-Senders by the end of December 2025 to allow for expected use on KPI reporting by 24 Feb 2026.</p>
<p>Below Threshold Identifiers</p>	<p>Legislation commences 1st April 2026</p>	<p>From 1st April, this means that CAs will be required to ensure their suppliers have registered on CDP and provide them with the unique identifier provided by the platform before publishing the CDN in relation to a notifiable below-threshold contract.</p>	<p>Validation updates sent to E-Senders to allow for expected use by 1st April 2026.</p>