

# Procurement Bill [HL]

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## AMENDMENTS TO BE MOVED ON REPORT

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### Clause 107

BARONESS NOAKES  
LORD MOYLAN

Page 70, line 22, at end insert –

“(ca) below-threshold contracts;”

#### *Member’s explanatory statement*

*This amendment ensures that the regulations can specifically exclude below-threshold contracts from the duty in section 17 of the Local Government Act 1988.*

### Schedule 2

BARONESS NOAKES  
LORD MOYLAN

Page 80, line 9, at end insert –

“(3) Sub-paragraph (2) does not apply to contracts of a kind described in paragraph 2 (vertical arrangements) or paragraph 3 (horizontal arrangements).”

#### *Member’s explanatory statement*

*This amendment disapplies the reasonableness test in sub-paragraph 2 to vertical and horizontal contracts so as to preserve the rules which currently apply to public service collaborations.*

### Schedule 11

BARONESS NOAKES  
LORD MOYLAN

Page 117, line 27, at end insert –

“A1 Subsections (4)(b) and (5) of section 89 of the Transport Act 1985 (obligation to invite tenders for subsidised services).”

***Member's explanatory statement***

*This amendment removes the requirement to issue notices of tenders individually to anyone who has given written notice so that publication requirements are confined to the single digital platform proposed for public procurement.*

Page 118, line 3, at end insert—

“4A Regulations 4 and 5 of the Service Subsidy Agreements (Tendering) (England) Regulations 2002 (S.I. 2002/2090).”

***Member's explanatory statement***

*This amendment removes the requirement to publish tender information relating to transport service subsidies so that publication requirements are confined to the single digital platform proposed for public procurement.*

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*22 November 2022*

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