

# TRANSFORMING PUBLIC PROCUREMENT: THE PROCUREMENT ACT 2023 AND ASSOCIATED PROCUREMENT REGULATIONS 2024

Following publication of the Green Paper on 'Transforming Public Procurement' on 15<sup>th</sup> December 2020, and a period of consultation, the draft Procurement Bill was issued on 11<sup>th</sup> May 2022, before receiving Royal Assent on 26<sup>th</sup> October 2023.

Secondary legislation, 'the draft Procurement Regulations 2024 (PR2024)' was released by the Cabinet Office on 25<sup>th</sup> March 2024 and made a UK Statutory Instrument on 22<sup>nd</sup> May 2024, ahead of the Regulations coming into effect for all new procurement activity to be initiated from 28<sup>th</sup> October 2024.

However, on 12<sup>th</sup> September 2024 a [Written Ministerial Statement](#) was published in Parliament announcing that the new regime will now not come into effect until the 24<sup>th</sup> February 2025, a short delay of four months from the previous effective date of 28<sup>th</sup> October 2024.

The Procurement Act 2023 and associated Procurement Regulations 2024 (PR2024), aims to reform the existing procurement rules and was introduced under the Transforming Public Procurement Programme which aimed to improve the way public procurement is regulated in order to:

- "create a simpler and more flexible commercial system that better meets our country's needs while remaining compliant with our international obligations;
- open up public procurement to new entrants such as small businesses and social enterprises so that they can compete for and win more public contracts;
- embed transparency throughout the commercial lifecycle so that the spending of taxpayers' money can be properly scrutinised." (Transforming Public Procurement Website)

The Procurement Regulations 2024 will replace the Public Contract Regulations 2015, the Defence and Security Public Contract Regulations 2011, the Concessions Contracts Regulations 2016 and the Utilities Contracts Regulations 2016, for all new procurements commenced post the effective date.

However, please note that existing legislation will continue to apply to all procurements (and subsequently awarded contracts, until their expiry) that commenced prior to the 24<sup>th</sup> February 2025. Please see the Cabinet Office Guidance: [Transitional and Saving Arrangements \[PDF\]](#) for more information on the changeover from the previous legislation.

Based on the direction that that the new regulations will now take effect from 24<sup>th</sup> February 2025, it is essential that Leidos is fully prepared for the upcoming changes, and as such we are currently working to update all current affected policies and processes, as well as upskill all employees to ensure compliance to the new regulations.

Leidos would also advise all potential bidders to ensure that they familiarise themselves with the change in legislation ahead of the effective date and would strongly recommend utilising the Cabinet Office' Transforming Public Procurement website, which includes a comprehensive set of guidance documents and knowledge drops to support both contracting authorities and suppliers. This can be found here: [Transforming Public Procurement](#).