

Delegated Powers and Law Reform Committee
Tuesday, 4th November 2025
30th Meeting, 2025 (Session 6)

Instrument Responses

Public Procurement (Iraq Free Trade Agreement) (Miscellaneous Amendment) (Scotland) Regulations 2025 ([SSI 2025/Draft](#))

On 13 October 2025, the Committee asked:

The heading for regulation 2 of the draft instrument indicates that this is a saving provision. Is this an appropriate heading for this provision given nothing has been revoked?

Please confirm whether any corrective action is proposed, and if so, what action and when.

On 24 October 2025 the Scottish Government responded:

The effect of regulation 2 is that in respect of a procurement commenced before the new law comes into force on 31 December 2025, the contracting authority is not required to treat economic operators from Iraq no less favourably than UK operators. This reflects the law as it stood before that date and the law is accordingly to that extent saved. This mirrors the approach under the Public Procurement (International Trade Agreements) (Miscellaneous Amendments) (Scotland) Regulations 2024.

No corrective action is proposed.