

The Procurement Act 2023

1. The Procurement Act 2023 comes into force on 24 February 2025 on which date the Public Contracts Regulations 2015 ('PC Regulations') will be repealed (subject to the transitional provisions). Therefore, any JCT 2024 publication which is released after 24 February 2025 (e.g. the Framework Agreement 2024, the Construction Management family 2024, the Management Building Contract family 2024) will have incorporated the necessary amendments.
2. In the above mentioned JCT 2024 contracts, JCT has removed references to the repealed PC Regulations and will instead rely on the definition of the Statutory Requirements. The Procurement Act 2023 simply implies by statute the termination rights (section 78). Payment terms under sub-contracts are also implied in a similar way under section 73. In addition, the definition of 'Local or Public Authority' has been amended to read "a body that is a 'contracting authority' as defined by the Procurement Act 2023".
3. As there are transitional provisions, the Local or Public Authority users are reminded that some contracts will in certain circumstances continue to be subject to the PC Regulations post 24 February 2025. In those circumstances, it is recommended that they seek appropriate advice and may wish to consider using the JCT 2016 edition instead of the JCT 2024 edition mentioned at paragraph 1.

19 February 2025