

S.I. No. 38/1992 - European Communities (Review Procedures For The Award of Public Supply and Public Works Contracts) Regulations, 1992.

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EUROPEAN COMMUNITIES (REVIEW PROCEDURES FOR THE AWARD OF PUBLIC SUPPLY AND PUBLIC WORKS CONTRACTS) REGULATIONS, 1992.

I, BERTIE AHERN, Minister for Finance, in exercise of the powers conferred on me by section 3 of the European Communities Act, 1972 (No. 27 of 1972), and for the purpose of giving effect to Council Directive No. 89/665/EEC¹ hereby make the following Regulations:

(1) O.J. No. L395/33, 30.12.89.

1. These Regulations may be cited as the European Communities (Review Procedures for the Award of Public Supply and Public Works Contracts) Regulations, 1992.

2. (1) In these Regulations—

"the Council Directive" means Council Directive No. 89/665/EEC.

(2) A word or expression that is used in these Regulations and is also used in the Council Directive has, unless the contrary intention appears, the same meaning in these Regulations as it has in the Council Directive.

3. As regards contract award procedures falling within the scope of Council Directive No. 71/305/EEC and Council Directive No. 77/62/EEC, decisions taken by the contracting authorities shall be reviewed in accordance with the conditions set out in the said Council Directive.

4. (1) The review procedures referred to in the Council Directive and the powers provided for in Article 2 (1) (a) to (c) of the Council Directive shall be carried out and exercised by the High Court.