



# Public procurement

What are the legal issues for Public Procurement following a Brexit?

Issue	Impact	Areas of law affected
<b>EU procurement rules may no longer apply</b>	Implementing UK legislation already in place will still exist but may be revised by UK and Scottish Parliaments, though principles around advertising and competing public sector contracts to the market are unlikely to change radically.	 Public procurement
<b>European Courts jurisprudence falls away, leaving case-law gap on interpretation of UK procurement laws</b>	Uncertainty re. application of procurement case law in UK cases and no EU guidance on interpretation.	 Public procurement
<b>UK government has no influence on EU procurement regime and UK companies may not have the same rights as EU companies when tendering for public sector contracts across the EU</b>	UK government may be unable to influence the EU procurement regime and UK companies may find it more difficult to compete for public sector contracts across the EU.	 Public procurement

## Your contacts



### Public procurement



**Caroline Hobson**

Head of Competition

T +44 (0)20 7367 2056

E caroline.hobson@cms-cmck.com



### Public procurement



**Graeme Young**

Partner

T +44 (0)20 7367 2906

E graeme.young@cms-cmck.com

The information contained in this document is intended to be for informational purposes and general interest only to help firms plan for implications of a withdrawal of the United Kingdom from the European Union. It should not be construed as professional advice or recommendation on United Kingdom European Union membership nor is it to be relied on. It does not constitute legal or tax advice.

Please visit our Brexit website for analysis, commentary and additional checklists on the legal implications of a Brexit on businesses operating in, and trading with, the UK: [www.cms-lawnow.com/brexit](http://www.cms-lawnow.com/brexit)

Further information, including a list of our offices, can be found at [www.cms-cmck.com](http://www.cms-cmck.com)

© CMS Cameron McKenna LLP 2016. 1604-0090-5