



NATIONAL PROCUREMENT ACT PROCUREMENT INSTRUCTION

02/2019

1ST April 2019

SUBJECT: CLARIFICATION OF CAPACITY CERTIFICATION FOR ALL PUBLIC AND STATUTORY BODIES TO UNDERTAKE PROCUREMENTS, SECTION 27 AND 28 NATIONAL PROCUREMENT ACT 2018

1 INTRODUCTION

1.1 Authority

This Procurement Instruction (hereafter PI) is issued under Section 45 of the *National Procurement Act* (hereafter NPA). The Board of the National Procurement Commission (hereafter NPC) and the APC Committee (APCC) may issue PIs or Guidelines not inconsistent with this Act, which are necessary or desirable for carrying out or giving effect to the NPA and in general for the better control and management of procurement.

1.2 Application

Section 27 of the NPA prohibits a public or statutory body from conducting procurements unless the public or statutory body has been certified pursuant to Section 28 of the NPA. Section 27 of the NPA does not commence on 1st April 2019. The Section will commence on a date to be fixed by the Head of State, acting on the advice of the National Executive Council, by notice published in the National Gazette, this PI is issued to clarify the issue of certification.

2 PURPOSE

2.1 Procurement Prior to the Commencement of Section 28

No certification of procurement capacity is required by a public or statutory body to conduct procurements prior to the commencement of Section 27 of the NPA.

2.2 Procurement After the Commencement of Section 27

Immediately on or after the commencement of Section 27 of the NPA, the APCC certifies all public and statutory bodies as having capacity to undertake procurements. This certification ceases on 31st March 2020. Further terms and conditions shall be determined by the APCC prior to 31st March 2020.

A handwritten signature in blue ink, consisting of several overlapping loops and lines, positioned above the name and title of the signatory.

DAIRI VELE
Secretary for Treasury
Chairman - APCC

Date: 1st April 2019

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