



NATIONAL PROCUREMENT ACT PROCUREMENT INSTRUCTION

02/2020

SUBJECT: WAIVER TO REQUIRE ANY PERSON TO BE REGISTERED WITH THE NATIONAL PROCUREMENT COMMISSION, SECTION 58 NATIONAL PROCUREMENT ACT 2018

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) (during the s88 Transitional Provisions) may issue PIs, instructions 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.

2 PURPOSE

2.1 Section 58 Waiver

Section 58 requires that the public or statutory body shall not receive a bid from or contract with any person that is not registered with the NPC under the section.

This PI waives the requirement for public and statutory bodies to not receive a bid from or contract with any person that is not registered with the NPC.

This waiver does not waive the requirement for bidders to comply with any procurement that requires pre-qualification of bidders. The public and statutory body and/or the Commission undertaking procurement is to also ensure that the minimum requirements of Section 58(3) are fulfilled as part of the procurement process. However, it does not require the person to be registered and approved with the NPC.

2.2 Period of the Waiver

This APCC waiver ceases on 31st December 2020 and is contingent on the National Procurement Commission establishing a system to review and register suppliers and ensure procedures are in place for public and statutory bodies to access supplier registrations.

Chairman
APC Committee
Date: 31/3/2020