

L.N. 474 of 2010

**FINANCIAL ADMINISTRATION AND AUDIT ACT
(CAP. 174)**

General Financial (Amendment) Regulations, 2010

IN exercise of the powers conferred by subarticle (1) of article 4 of the Financial Administration and Audit Act, the Minister of Finance has made the following regulations:-

1. The title of these regulations is the General Financial (Amendment) Regulations, 2010, and these regulations shall be read and construed as one with the General Financial Regulations, hereinafter in these regulations referred to as "the principal regulations". Citation.
S.L. 174.01
2. For regulation 104 of the principal regulations there shall be substituted the following: Substitutes
regulation 104
of the principal
regulations.

"104. For the purposes of this Part of these regulations, "stores" shall include supplies of a general character required for ordinary works and services carried out during the course of a financial year, goods or equipment which are deemed to be in excess, and goods beyond economic repair or beyond upgrading."
3. Regulation 105 of the principal regulations shall be re-numbered as regulation 106, while regulation 106 of the principal regulations shall be re-numbered as regulation 105. Re-numbers
regulations 105
and 106 of the
principal
regulations.
4. In sub-regulation (1) of regulation 105, as re-numbered, of the principal regulations for the words "shall satisfy themselves" there shall be substituted the words "shall ensure". Amends
regulation 105
of the principal
regulations.
5. For sub-regulation (1) of regulation 108 of the principal regulations, there shall be substituted the following: Amends
regulation 108
of the principal
regulations.

"(1) The condemnation as unserviceable and writing off of stores, referred to in regulation 104, or other articles shall be sanctioned by the Permanent Secretary responsible for the department concerned on the report of a Board of Survey, which board shall not include any members of the staff of the Department concerned."
6. For regulation 110 of the principal regulations, there shall be substituted the following: Substitutes
regulation 110
of the principal
regulations.

"110 Except where the Permanent Secretary responsible for the department concerned otherwise directs, surplus store

B 5504

items mentioned under regulation 104 shall be disposed of by the Director of Contracts following a public call for tenders issued by him:

Provided that:

(a) such store-items which when grouped by category do not exceed the estimated value of forty-seven thousand euro (€47,000) per group may be disposed of departmentally as may be approved by the Permanent Secretary responsible for the department concerned following an auction or a departmental call for tender;

(b) such store-items which when grouped by category do not exceed the estimated value of six thousand euro (€6,000) per group may also be disposed of departmentally at the discretion of the Permanent Secretary responsible for the department concerned following the receipt of not less than five quotations from the open market;

(c) such store-items which when grouped by category do not exceed the estimated value of one thousand and two hundred euro (€1,200) per group may also be disposed of departmentally at the discretion of the Head of the Department concerned:

Provided further that, in all instances, public officers shall not be allowed to quote or to tender for the acquisition of such store-items both in a direct or in an indirect manner."

