

L.N. 140 of 1996

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

Public Service (Procurement) (Amendment) Regulations, 1996

IN exercise of the powers conferred by section 4 of the Financial Administration and Audit Act, the Minister of Finance has made the following regulations:—

1. These regulations may be cited as the Public Service (Procurement) (Amendment) Regulations, 1996 and shall be read and construed as one with the Public Service (Procurement) Regulations, 1996, hereinafter referred to as “the principal regulations”. Citation.
L.N. 70 of 1996.
2. In paragraph (2) of regulation 7, for the words “to be proceeded with.” there shall be substituted the words “to be proceeded with, in which case the Director shall, in his declaration, state the reason or reasons why.”. Amends
regulation 7
of the principal
regulations.
3. Paragraph (3) of regulation 8 of the principal regulations shall be deleted, and paragraph (4) thereof shall be renumbered as paragraph (3) thereof. Amends
regulation 8
of the principal
regulations.
4. In paragraph (2) of regulation 15 of the principal regulations, for the words “as soon as practicable.” there shall be substituted the words “within 30 days or, if the House is not in session during that period, at the first session of the House.”. Amends
regulation 15
of the principal
regulations.
5. In the proviso to subparagraph c. of paragraph 1 of the Second Schedule to the principal regulations, for the words “Provided that in the case of a removal” there shall be substituted the words “Provided that in the case of an exclusion or a removal”. Amends
Second Schedule
to the principal
regulations.
6. For paragraphs 3 and 4 of the Eighth Schedule to the principal regulations, there shall be substituted the following: Amends
Eighth Schedule
to the principal
regulations.

“3. Any discarded tender is to be given publicity in the Department of Contracts and the affected tenderer is to be informed of the decision within two working days of its publication.

4. A request for a review by the affected tenderer must reach the Director within three working days from the date of publication of the decision and such request must be accompanied by a deposit of 0.5% of the estimated tender value, which deposit shall only be refundable if the Director of Contracts finds in the tenderer's favour:

Provided that the deposit shall in no case be less than Lm250 or more than Lm25,000.

5. A review is to be effected by the Contracts Committee involved in the adjudicating process of the relevant tender before the next stage of the adjudication is started."