

Department of Contracts
Notre Dame Ravelin
FLORIANA

To Permanent Secretaries
Directors General
Directors
Heads of Public Sector Organisations

11 December 2019

AMENDMENTS TO THE PUBLIC PROCUREMENT AND CONCESSION CONTRACTS REGULATIONS

The Office of the Prime Minister, through OPM Circular No. 12/2019 (dated 30 October 2019) notified that the ‘Finance Administration and Audit Act’ (Cap 174) was repealed and a replacement act titled ‘Public Finance Management Act’ 2019 (Cap 601) came into force on 12 July 2019 through the publication of Act XXI of 2019.

As a result, the Subsidiary Legislations in relation to Public Procurement (including Utilities and Emergency) Regulations as well as Concession Contracts Regulations shall no longer relate to S.L. 174. Instead, the new Subsidiary Legislations shall refer to S.L. 601 as detailed hereunder:

- Public Procurement Regulations: S.L. 601.03 (formerly S.L. 174.04)
Legal Notice 352 of 2016
- Public Procurement of Entities operating in the Water, Energy, Transport and Postal Services Sectors Regulations: S.L. 601.05 (formerly S.L. 174.06)
Legal Notice 351 of 2016
- Emergency Procurement Regulations: S.L. 601.08 (formerly S.L. 174.09)
Legal Notice 350 of 2016
- Concession Contracts Regulations: S.L. 601.09 (formerly S.L. 174.10)
Legal Notice 353 of 2016

Public Procurement: S.L. 601.03 – Legal Notice 352 of 2016

In addition, further to Contracts Circular No. 18/2018, the consolidated version of the Public Procurement Regulations S.L. 601.03 incorporates amendments which came into force as per the following Legal Notices:

LN 195 of 2019; came into force on 06 August 2019

LN 301 of 2019; came into force on 15 November 2019

Amendments, affected through a Legal Notice, are accessible through the Ministry for Justice, Culture and Local Government's (MJCL) website, specifically under the 'Legal Publications' section (<http://www.justiceservices.gov.mt>).

Links to Procurement Regulations and Concession Contracts Regulations

Contracting Authorities are encouraged to keep abreast with any developments in connection with the Public Procurement (including Utilities and Emergency) Regulations as well as Concession Contracts Regulations, which may be accessed through MJCL's website, through the following links:

- Public Procurement Regulations: S.L. 601.03
<http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=9532&l=1>
- Public Procurement of Entities operating in the Water, Energy, Transport and Postal Services Sectors Regulations: S.L. 601.05
<http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=9534&l=1>
- Emergency Procurement Regulations: S.L. 601.08
<http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=12588&l=1>
- Concession Contracts Regulations: S.L. 601.09
<http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=12589&l=1>

Furthermore, the aforementioned regulations are also accessible through the Department of Contracts' website under the 'Resources' section (<https://contracts.gov.mt>).

Contact

Contracting Authorities are encouraged to submit any queries to their respective Ministry's Procurement Section or to their Ministerial Procurement Unit (MPU), as the case may be.

In addition, Contracting Authorities may also submit any queries to the Department of Contracts' Customer Care service on info.contracts@gov.mt or +356 21220212.

Anthony Cachia

Director General (Contracts)