

CT 5012/2020

Contracts Circular N° 22/2023

Department of Contracts
Notre Dame Ravelin
FLORIANA

To Permanent Secretaries
Directors General
Directors
Heads of Public Sector Organisations

15 December 2023

AMENDMENTS TO THE PUBLIC PROCUREMENT AND UTILITIES PROCUREMENT REGULATIONS

Further to Contracts Circular N° 11/2023¹, the consolidated versions of the Public Procurement Regulations (2016) S.L. 601.03 and the Utilities² Procurement Regulations (2016) S.L. 601.05, incorporate amendments which came into force as per the following Legal Notices:

Public Procurement: S.L. 601.03

Legal Notice 212 of 2023 dated 19 September 2023

Legal Notice 227 of 2023 dated 03 October 2023

Public Procurement: S.L. 601.05

Legal Notice 226 of 2023 dated 03 October 2023

Amendments, affected through a Legal Notice / Act, are accessible through the Ministry for Justice's (MfJ) website, specifically under the 'Publications' section (<https://legislation.mt/>).

¹ Contracts Circular N° 11/2023 (Amendments to the Public Procurement Regulations) was published on 27 June 2023.

² Utilities Procurement refers to Public Procurement of Entities operating in the Water, Energy, Transport and Postal Services Sectors Regulations: S.L. 601.05.

Links to Procurement Regulations and Concession Contracts Regulations

Contracting Authorities³ and Contracting Entities⁴ are encouraged to keep abreast with any developments in connection with Procurement Regulations (including Utilities, Emergency and Property) as well as Concession Contracts Regulations, which may be accessed through MfJ's website, through the following links:

- Public Procurement Regulations: S.L. 601.03
<https://legislation.mt/eli/sl/601.3/eng/pdf>
- Public Procurement of Entities operating in the Water, Energy, Transport and Postal Services Sectors Regulations: S.L. 601.05
<https://legislation.mt/eli/sl/601.5/eng/pdf>
- Procurement of Property Regulations: S.L. 601.12
<https://legislation.mt/eli/sl/601.12/eng>
- Emergency Procurement Regulations: S.L. 601.08
<https://legislation.mt/eli/sl/601.8/eng/pdf>
- Concession Contracts Regulations: S.L. 601.09
<https://legislation.mt/eli/sl/601.9/eng/pdf>

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

Contact

Contracting Authorities / Entities are encouraged to submit any queries to the Department of Contracts' Customer Care service on info.contracts@gov.mt or by calling on + 356 2378 1001.

Adrian Dalli

Director General (Contracts)

³ Contracting Authorities in S.L. 601.03, S.L. 601.05 and in S.L. 601.12 are defined as the 'State, regional or local authorities, bodies governed by public law or associations formed by one or more such authorities or one or more such bodies governed by public law'. Contracting Authorities in S.L. 601.09 is defined as per S.L. 601.03 with the additional inclusion of ... 'other than those authorities, bodies or associations which pursue one of the activities referred to in Schedule 4 and award a concession for the pursuit of one of those activities'. Contracting Authority in S.L. 601.08 is defined as 'one of the government entities specified in the Schedule'.

⁴ Contracting Entities in S.L. 601.05 are entities which: (a) are contracting authorities or public undertakings and which pursue one of the activities referred to in regulations 8 to 14; (b) when they are not contracting authorities or public undertakings, have as one of their activities any of the activities referred to in Regulations 7 to 13, or any combination thereof and operate on the basis of special or exclusive rights granted by a competent authority.