

Department of Contracts
Notre Dame Ravelin
FLORIANA

To Permanent Secretaries
Directors General
Directors
Heads of Public Sector Organisations

26 June 2024

AMENDMENTS TO THE PUBLIC PROCUREMENT AND CONCESSION CONTRACTS REGULATIONS

Further to Contracts Circular N° 22/2023¹, the consolidated versions of the Public Procurement Regulations (2016) S.L. 601.03 and the Concession Contracts Regulations (2016) S.L. 601.09, incorporate amendments which came into force as per the following Legal Notice and Act:

- Legal Notice 112 of 2024 dated 17 May 2024
- Act XVII of 2024 dated 10 May 2024

Amendments, affected through a Legal Notice / Act, are accessible through the Ministry responsible for Justice² website, specifically under the ‘Publications’ section (<https://legislation.mt/>).

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

¹ Contracts Circular N° 22/2023 (Amendments to the Public Procurement and Utilities Procurement Regulations) was published on 15 December 2023.

² Currently the Ministry responsible for Justice is the Ministry for Justice and Reform of the Construction Sector.

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.

accessed through the Ministry responsible for Justice website, specifically via 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>
- Concession Contracts Regulations: S.L. 601.09
<https://legislation.mt/eli/sl/601.9/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>

Furthermore, the aforementioned regulations are also accessible through the Department of Contracts' website specifically under the 'Resources' section (<https://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.

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