



MINISTRY OF FINANCE, ECONOMIC PLANNING AND DEVELOPMENT
Procurement Policy Office

In reply please quote: F/PPO/4/1/Vol 13

Circular No. 07 of 2024

From: Procurement Policy Office

To: Heads of Public Bodies

**Amendments to Public Procurement (Regulations 2008),
Public Procurement (Suspension and Debarment) Regulations 2008 and
Public Procurement (Disqualification) Regulations 2009**

Public bodies are hereby informed that the Public Procurement (Regulations 2008), Public Procurement (Suspension and Debarment) Regulations 2008 and Public Procurement (Disqualification) Regulations 2009 have been amended as per attached copy of GN 95, 96 and 97 of 2024.

2. The updated version of the abovementioned Regulations may be downloaded from the website of the PPO (ppo.govmu.org).

**Procurement Policy Office
03 June 2024**



PROCUREMENT
POLICY OFFICE



RF 162
MS ISO 9001:2015

Address: 8th Floor, Emmanuel Anquetil Building, Port Louis, Mauritius

Tel: (230) 260-5580; Fax: (230) 201-3758

Website: <http://ppo.govmu.org>; E-mail: pposecretariat@govmu.org

Government Notice No. 95 of 2024

THE PUBLIC PROCUREMENT ACT

**Regulations made by the Minister, on the recommendation
of the Procurement Policy Office, under section 61
of the Public Procurement Act**

1. These regulations may be cited as the Public Procurement (Amendment No. 3) Regulations 2024.
2. In these regulations –
“principal regulations” means the Public Procurement Regulations 2008.
3. Regulation 30 of the principal regulations is amended, in paragraph (4A)(a), by adding the following new sub subparagraph, the full stop at the end of sub subparagraph (iv) being deleted and replaced by the words “; or” and the word “or” at the end of sub subparagraph (iii) being deleted –
 - (v) extension of bid validity is required to complete land acquisition procedures.
4. Regulation 41 of the principal regulations is amended, in paragraph (2), by inserting, after the words “section 19(2)(b) of the Act,”, the words “for the procurement of goods,”.
5. Regulation 44 of the principal regulations is amended –
 - (a) in paragraph (1)(a), by inserting, after the words “small amounts of”, the words “non-recurrent”;
 - (b) in paragraph (2), by deleting the word “contract” and replacing it by the words “contract in respect of paragraph (1)(b) and (c)”.

6. Regulation 47C of the principal regulations is amended –
- (a) in paragraph (3), by deleting the words “above 10 million rupees but not exceeding” and replacing them by the words “between 10 million rupees and”;
 - (b) by inserting, after paragraph (3), the following new paragraph –
 - (3A) Notwithstanding paragraphs (2) and (3), a public body may –
 - (a) open the bidding exercise to bidders with higher turnover for specialised types of works where microenterprises or small enterprises do not have the expertise; or
 - (b) carry out a single open invitation for bids to all bidders, provided that priority of consideration for award shall be given to microenterprises and small enterprises.
7. Regulation 66 of the principal regulations is amended by inserting, after paragraph (1), the following new paragraph –
- (1A) For goods contract, the liquidated damages shall be proportionate to the value of the goods not supplied within time.

Made by the Minister, on the recommendation of the Procurement Policy Office, on 31 May 2024.

*Government Notice No. 96 of 2024***THE PUBLIC PROCUREMENT ACT****Regulations made by the Minister, on the recommendation of
the Procurement Policy Office, under section 61 of
the Public Procurement Act**

1. These regulations may be cited as the Public Procurement (Suspension and Debarment) (Amendment) Regulations 2024.
2. In these regulations –
“principal regulations” means the Public Procurement (Suspension and Debarment) Regulations 2008.
3. Regulation 4 of the principal regulations is amended by deleting the word “potential”.
4. Regulation 5 of the principal regulations is amended –
 - (a) in the heading, by deleting the word “**potential**”;
 - (b) in paragraph (1), by deleting the word “potential”;
 - (c) in paragraph (2), by deleting the word “potential”.
5. Regulation 6 of the principal regulations is amended –
 - (a) in paragraph (a), by deleting the word “potential”;
 - (b) in paragraph (c), by deleting the words “the grounds” and replacing them by the words “any of the grounds specified in section 53(1) of the Act”.
6. Regulation 7 of the principal regulations is amended, in paragraph (1), by deleting the word “potential”.

7. The principal regulations are amended by inserting, after regulation 14, the following new regulation –

14A. Court, arbitration or other similar proceedings

Where the suspension or debarment of a bidder or supplier is being considered by the Director and the bidder or supplier initiates court, arbitration or other similar proceedings in relation to the suspension or debarment, nothing shall prevent the Director from proceeding with the suspension or debarment.

Made by the Minister, on the recommendation of the Procurement Policy Office, on 31 May 2024.

Government Notice No. 97 of 2024

THE PUBLIC PROCUREMENT ACT

**Regulations made by the Minister, on the recommendation of
the Procurement Policy Office, under section 61
of the Public Procurement Act**

1. These regulations may be cited as the Public Procurement (Disqualification) (Revocation) Regulations 2024.
2. The Public Procurement (Disqualification) Regulations 2009 are revoked.

Made by the Minister, on the recommendation of the Procurement Policy Office, on 31 May 2024.
