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No. S 270

GOVERNMENT PROCUREMENT ACT (CHAPTER 120)

GOVERNMENT PROCUREMENT (APPLICATION) (AMENDMENT) ORDER 2014

In exercise of the powers conferred by section 4 of the Government Procurement Act, the Minister for Finance hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Government Procurement (Application) (Amendment) Order 2014 and shall come into operation on 6th April 2014.

Deletion and substitution of paragraph 2A

2. Paragraph 2A of the Government Procurement (Application) Order (O 1) (referred to in this Order as the principal Order) is deleted and the following paragraph substituted therefor:

“Relevant States and relevant Protocol States

2A. For the purposes of the Act, the countries and territories set out in —

- (a) Part I of the First Schedule shall be relevant States; and
- (b) Part II of the First Schedule shall be relevant Protocol States.”.

Amendment of paragraph 4

3. Paragraph 4 of the principal Order is amended —

- (a) by inserting, immediately after the words “United States of America” in sub-paragraph (1), the words “and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu (Chinese Taipei)”; and

(b) by inserting, immediately after sub-paragraph (2B), the following sub-paragraphs:

“(2C) A procurement —

(a) by a contracting authority set out in Part I of the Second Schedule of —

(i) goods;

(ii) one or more of the services set out in the Third and Eighth Schedules; or

(iii) a combination of goods and one or more of such services; or

(b) by a contracting authority set out in Part III of the Second Schedule of any of the goods set out in the Fifth Schedule or a combination thereof,

is a procurement subject to the Act in relation to the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu (Chinese Taipei) if the value of the contract in relation to the procurement is equal to or exceeds 100,000 Special Drawing Rights.

(2D) A procurement by a contracting authority set out in Part II of the Second Schedule of —

(a) goods;

(b) one or more of the services set out in the Third and Eighth Schedules; or

(c) a combination of goods and one or more of such services,

is a procurement subject to the Act in relation to the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu (Chinese Taipei) if the value of the contract in relation to the procurement is equal to or exceeds 400,000 Special Drawing Rights.

(2E) A procurement by a contracting authority set out in Part I or II of the Second Schedule of any service set out in the Fourth Schedule, is a procurement subject to

the Act in relation to the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu (Chinese Taipei) if the value of the contract in relation to the procurement is equal to or exceeds 5 million Special Drawing Rights.”.

Amendment of paragraph 7

4. Paragraph 7 of the principal Order is amended by deleting sub-paragraph (10) and substituting the following sub-paragraph:

“(10) For the purpose of this paragraph, the relevant time is —

- (a) the date on which the notice of intended procurement referred to in regulation 10 of the Government Procurement Regulations 2014 (G.N. No. S 269/2014) is sent, or the date the notice ought to have been sent, to the Government Printer for publication in the *Gazette* (whichever is the earlier); or
- (b) the date on which the notice of intended procurement is published, or the date the notice ought to have been published, in GeBIZ (whichever is the earlier),

as the case may be, if the requirement to publish the notice of intended procurement in an approved medium applies to the procurement in question.”.

Amendment of paragraph 8

5. Paragraph 8 of the principal Order is amended —

- (a) by deleting the words “all relevant States other than Japan and the United States of America” in sub-paragraph (1) and substituting the words “all relevant States and relevant Protocol States other than Japan, the United States of America and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu (Chinese Taipei)”; and
- (b) by deleting the paragraph heading and substituting the following paragraph heading: