

KNOWLEDGE CENTRE

Eligibility Requirements

ER:1

Relevant Facts or Questions Asked	Issues Arising
<p>A Procuring Entity (PE) sought confirmation regarding at which threshold proof of tax compliance, in the form of a Tax Compliance Letter (TCL), and registration with the Public Procurement Commission (PPC) is required for Works procurements.</p>	<ol style="list-style-type: none"> I. The threshold value where TCL is required; and II. The threshold values where PPC registration is required.

Advice

Issue 1 – TCL requirement

1. It is recognised that the existing legislation upon literal interpretation, requires bidders for all procurement contracts regardless of value, to demonstrate tax compliance save in circumstances expressed in Regulation 17 of The Public Procurement Regulations, 2018 (“Regulations”).
2. **However, this Ministry’s policy is to require demonstration of eligibility only for contracts valued in excess of the single source thresholds now appearing in the First Schedule to The Regulations.**

Issue 2 – PPC requirement

1. In keeping with Section 15 of the Public Procurement Act, 2015 (as amended) (“the Act”), registration with the PPC is a requirement for participation in public procurement proceedings, save in relation to procurement by international competitive bidding and single-source procurement of a value not exceeding the procurement method threshold.
2. **Hence, PPC registration would not be a requirement for works below the \$2 million threshold.**