

KNOWLEDGE CENTRE

Eligibility Requirements

ER:1

Relevant Facts or Questions Asked

A Procuring Entity (PE) sought confirmation in relation to 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

Issues Arising

- 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 demonstration of tax compliance for procurement contracts estimated above the *competition thresholds for a single-source procurement*, please see Regulation 17 of The Public Procurement Regulations, 2018 (as amended) (“Regulations”).

Issue 2 – PPC requirement

2. 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 under section 25, of a value not exceeding the competition threshold. The relevant competition thresholds are outlined in the Public Procurement (Competition Thresholds) Order, 2025.

3. Hence, PPC registration would not be a requirement for works below the \$5 million dollar threshold or goods and services below the \$3 million dollar threshold.

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