



national treasury

Department:
National Treasury
REPUBLIC OF SOUTH AFRICA

PFMA SCM CIRCULAR NO. 02 OF 2022/2023
PUBLIC FINANCE MANAGEMENT ACT
(ACT 1 OF 1999)

CONFIRMATION OF THE STATUS OF THE APPROVED GOVERNMENT TENDER BULLETIN DEPARTURE

TO ALL:	ACCOUNTING OFFICERS OF DEPARTMENTS ACCOUNTING OFFICERS OF CONSTITUTIONAL INSTITUTIONS ACCOUNTING AUTHORITIES OF SCHEDULE 2 AND 3 PUBLIC ENTITIES HEAD OFFICIALS OF PROVINCIAL TREASURIES
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1. PURPOSE

1.1. To inform accounting officers and accounting authorities—

1.1.1. of the repeal of the SCM Instruction No. 01 of 2021/2022: Departure from Publication of Bids, Bid awards and Related Notifications in the Government Tender Bulletin (GTB) and the e-Tender Portal; and

1.1.2. to confirm the status of the approved departure from the provisions of Treasury Regulation 16A6.3(c) and 16A6.3(d), in as far as they relate to the publication of bid advertisements, bid awards and related notifications in the GTB that was communicated in the repealed SCM Instruction No. 01 of 2021/2022.

2. BACKGROUND

2.1. Treasury Regulation 16A6.3(c) prescribes that “the accounting officer or accounting authority must ensure that bids are advertised in at least the Government Tender Bulletin for a minimum period of 21 days before closure, except in urgent cases when bids may be advertised for such shorter period as the accounting officer or accounting authority may determine.”

2.2. Treasury Regulation 16A6.3(d) prescribes that “the accounting officer or accounting authority must ensure that awards are published in the Government Tender Bulletin and other media by means of which the bids were advertised.”

2.3. In line with section 79 of the PFMA, the National Treasury approved a departure from the provisions of Treasury Regulation 16A6.3(c) and 16A6.3(d), in as far as they relate to the

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publication of bid advertisements, bid awards and related notifications in the GTB for accounting officers of departments and constitutional institutions, and accounting authorities of public entities listed in Schedule 3A & 3C to the PFMA.

- 2.4. The approved departure referred to in paragraph 2.3 was communicated to accounting officers and accounting authorities through SCM Instruction No. 01 of 2021/2022.

3. CONFIRMATION OF THE STATUS OF THE APPROVED GTB DEPARTURE

- 3.1. On 6 May 2021, the Acting CPO acting in terms of section 79 of the PFMA, approved a departure from the application of National Treasury Instruction No. 1 of 2015/2016, in as far as it relates to the mandatory requirement to publish bid advertisements, bid awards and related notifications on the e-Tender Portal by accounting officers of departments and constitutional institutions and accounting authorities of public entities listed in Schedules 2 and 3 to the PFMA.
- 3.2. In August 2022, the CPO approved the withdrawal of the departure in as far as it relates to the mandatory requirement to publish bid advertisements, bid awards and related notifications on the e-Tender Portal.
- 3.3. It must be noted that the departure from the application of Treasury Regulation 16A6.3(c) and 16A6.3(d) in as far as they apply to the publication of bid advertisements and bid awards in the Government Tender Bulletin, subject to institutions complying with the minimum bid advertisement period prescribed in Treasury Regulation 16A.6.3(c) will remain in effect.

4. APPLICABILITY

This circular applies to all departments, constitutional institutions and public entities listed in Schedules 3A and 3C to the PFMA.

5. DISSEMINATION OF INFORMATION

- 5.1. The accounting officers of national departments and constitutional institutions must bring the contents of this circular to the attention of—
- (a) chief financial officers, heads of supply chain management and supply chain management officials of their respective institutions; and
 - (b) all accounting authorities of public entities reporting to the executive authority of their respective departments.

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- 5.2. Heads officials of provincial treasuries must bring the contents of this circular to the attention of accounting officers of their provincial departments and accounting authorities of the provincial public entities with the request that the information contained herein be disseminated to all chief financial officers, heads of supply chain management and supply chain management officials of their respective institutions.
- 5.3. The accounting authorities of Schedule 3A and 3C public entities must bring the contents of this circular to the attention of the chief financial officers, heads of supply chain management and supply chain management officials of their public entities.

6. CONTACT INFORMATION

Enquiries pertaining to the contents of this circular may be directed to:

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ACTING CHIEF PROCUREMENT OFFICER

DATE: