



**national treasury**

Department:  
National Treasury  
REPUBLIC OF SOUTH AFRICA

**PFMA SCM INSTRUCTION NO. 05 OF 2022/23**  
**PUBLIC FINANCE MANAGEMENT ACT**  
**(ACT 1 OF 1999)**

**REPEAL OF INSTRUCTION 11 OF 2020/2021: PROCUREMENT IN RESPONSE TO NATIONAL STATE OF DISASTER REGARDING COVID-19 PANDEMIC**

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

**1. PURPOSE**

The purpose of this Instruction is to repeal National Treasury Instruction No. 11 of 2020/2021 (dated 25 August 2020) and its amendment of 6 May 2021 that dealt with the procurement processes in response to the National State of Disaster regarding the COVID-19 pandemic.

**2. BACKGROUND**

2.1 The National Treasury issued Instruction No. 11 of 2020/2021 ("the Instruction") on 25 August 2020, which became effective on 1 September 2020, in which government institutions were instructed to revert to normal procurement procedures for all goods, services and works (including the procurement of Personal Protective Equipment and fabric masks). The Instruction also included reporting measures to improve the monitoring and transparency of COVID-19 related procurement data and such information was published on relevant websites and the National Treasury website.

2.2 On 6 May 2021, National Treasury issued the 1<sup>st</sup> Amendment to Instruction No. 11 of 2020/2021, in which the reporting dates were extended up to March 2022.

**3. DISCUSSION**

3.1. On 4 April 2022, Cabinet decided to terminate the National State of Disaster from midnight that day. While the pandemic is not over, and while the virus continues

to circulate, Cabinet determined that it was no longer necessary for the country to remain in a National State of Disaster.

- 3.2. Certain provisional regulations that were issued in terms of the Disaster Management Act, 2002 (Act No.57 of 2002), remained in place for a further 30 days to ensure a smooth transition to the new regulations that were issued in terms of the National Health Act, 2003 (Act No. 61 of 2003), contained in Notice No. 2061 published under *Government Gazette* No. 46319 of 4 May 2022.

#### **4. APPLICABILITY**

This Instruction applies to all departments, constitutional institutions and public entities listed in Schedules 2 and 3 to the Public Finance Management Act, 1999.

#### **5. DISSEMINATION OF INFORMATION CONTAINED IN THIS INSTRUCTION**

- 5.1 Heads of provincial treasuries are requested to bring the contents of this Instruction to the attention of accounting officers and supply chain management officials of their respective provincial departments.
- 5.2 Accounting officers of national and provincial departments are requested to bring the contents of this Instruction to the attention of accounting authorities and the supply chain management officials of Schedule 3A and 3C public entities reporting to their respective executive authorities.
- 5.3 Accounting authorities of Schedule 2, 3B and 3D public entities are requested to bring the contents of this Instruction to the attention of the supply chain management officials of their public entities.

#### **6. AUTHORITY FOR THIS INSTRUCTION**

This Instruction is issued in terms of section 76(4)(c) and (g) of the PFMA.

#### **7. REPEAL OF NATIONAL TREASURY INSTRUCTION**

This Instruction repeals National Treasury Instruction No. 11 of 2020/2021: Procurement in response to National State of Disaster regarding Covid-19 Pandemic (dated 25 August 2020); and its amendment of 6 May 2021.

**8. NOTIFICATION TO THE AUDITOR-GENERAL**

The Auditor-General will be notified of the contents of this Instruction.

**9. EFFECTIVE DATE**

This Instruction takes effect on the date after signature.

**10. CONTACT INFORMATION**

Enquiries related to this Treasury Instruction may be directed to:  
Office of the Chief Procurement Officer  
E-mail: [cpo@treasury.gov.za](mailto:cpo@treasury.gov.za)

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**MOLEFE ISAAC FANI**  
**ACTING CHIEF PROCUREMENT OFFICER**  
**DATE: 7 July 2022**