



REPUBLIC OF KIRIBATI
No. 4 of 2021



I assent.

Beretitenti

19/05/2021

An Act

entitled

AN ACT TO AMEND THE PROCUREMENT ACT 2019

Commencement

/ / /2021

Made by the Maneaba ni Maungatabu and assented to by the Beretitenti

1. Short Title

This Act may be cited as the *Procurement (Amendment) Act 2021*.

2. Meaning of 'principal Act'

In this Act the Principal Act means the *Procurement Act 2019*.

3. Amendment of section 3

Section 3 is amended as follows:

- (a) by changing the definition of 'Chief Procurement Officer' to the following-
"Chief Procurement Officer" means the Secretary responsible for Finance;
- (b) by inserting a new definition immediately before 'Services' as follows-
"Senior Procurement Officer" means the officer appointed in accordance with section 99 of the Constitution and as further detailed in Section 15".

4. Amendment of section 15

Section 15 is amended by deleting the word 'Chief' as appears in the title, subsection (1) and (2) and replacing it with the word "Senior".

5. Amendment of section 17

Section 17(2)(f) is repealed and substituted with the following: -

"A Senior Procurement Officer shall be tasked with the role of secretariat of the Board".

6. Amendment of section 18

Section 18(2) is amended as follows:-

- (1) In paragraph (a) by repealing it and substituted with the following-

"(a) The Procuring Entity Procuring Officer shall be tasked with the coordination of the work and to act as chairperson"

- (2) In paragraph (d) by repealing it and substituted with the following-

"(d) A Senior Procurement Officer shall be tasked as the secretary of the committee."

7. Insertion of a new section 39A

Part IX of the principal Act is amended by inserting a new section 39A as follows:

"39A Act binding

This Act shall bind all State Owned Enterprises (SOEs), statutory body corporations/authorities and the lists of these bodies together with the procurement process are to be prescribed by Regulations".

THE PROCUREMENT (AMENDMENT) ACT 2021

EXPLANATORY MEMORANDUM

The main purpose of this Amendment Act is to change the title and role of the Chief Procurement Officer to allow more efficiency in the procurement process. The title of the Chief Procurement Officer is now changed to Senior Procurement Officer while the title Chief Procurement Officer is transferred to the SRO or the Secretary for Finance. The role of the Senior Procurement Officer is also limited to only being the Secretariat for both the Board (section 17) and the Committees (Section 18). The Procuring Entity Officer shall be tasked with the Chairperson of the Procuring Committees for the concerned entity. There is also a new insertion-39A which binds all Government owned companies and statutory corporations to this act.

Honourable Dr Teuea Toatu

Vice President and Minister of Finance and Economic Development

LEGAL REPORT

I hereby certify that in my opinion none of the provisions of the above Act are in conflict with the Constitution and that the Beretitenti may properly assent to the Act.

Tetiro Maate Semilota

Attorney General

**CERTIFICATE OF THE CLERK OF THE MANEABA NI
MAUNGATABU**

This printed impression of the Procurement (Amendment) Act 2021 has been carefully examined by me with the Bill which passed the Maneaba ni Maungatabu on the 26th April 2021 and is found by me to be a true and correctly printed copy of the said Bill.

.....

Eni Tekanene
Clerk of the Maneaba ni Maungatabu

CERTIFICATE OF THE SPEAKER OF THE MANEABA NI MAUNGATABU

I certify that the above Act was on the 26th April 2021 passed by the Maneaba ni Maungatabu on a Certificate of Urgency under section 68(3)(a) of the Constitution.

.....

Hon. Tangariki Reete
Speaker of the Maneaba ni Maungatabu

Published by exhibition at the Maneaba ni Maungatabu this 19th day
of MAY 2021.

.....

Eni Tekanene
Clerk of the Maneaba ni Maungatabu