



Democratic Socialist Republic of Sri Lanka

Supplement – 13

To the

PROCUREMENT MANUAL

Issue Date: 2007-10-03

(To be used along with Procurement Guidelines 2006 Goods & Works)

This supplement supersedes the sections
PROCUREMENT GUIDELINE REFERENCE: 1.5
Laws Applicable to Procurement Actions

NATIONAL PROCUREMENT AGENCY

PROCUREMENT GUIDELINE REFERENCE: 1.5
Laws Applicable to Procurement Actions

The special attention of all the officers involve in Procurement Actions is also referred to the following sections in Public Contracts Act, No 3 of 1987, which is applicable for every public contract exceeds five million rupees.

Persons required to register with the Registrar	<p>8. (1) Any person who act as an agent or sub-agent, representative or nominee for or on behalf of any tenderer, shall register himself and such public contract in accordance with section 10 and shall furnish to the Registrar the particulars required to be furnish under section 6.</p> <p>(2) Where any person is an agent, sub-agent, representative or nominee for or on behalf of a tenderer he shall first produce a certificate of his appointment as agent, sub-agent, representative or nominee to the Registrar before he registers himself and the public contract under this section.</p>
Contravention of provisions of section 8 an offence	<p>9. (1) Every person who contravenes or fails to comply with the provisions of section 8 shall be guilty of an offence and shall be liable on conviction to a fine of one hundred thousand rupees and to imprisonment for a term not exceeding two years.</p> <p>(2) No person required to be registered under section 8 shall have any dealing directly or indirectly relating to a public contract:</p> <p style="margin-left: 40px;">(a) with the Registrar except for the purpose of registration: or</p> <p style="margin-left: 40px;">(b) with any member of a public body, a technical committee, tender board or evaluation board of such body or any officer or employee thereof or any State officer,</p> <p>without first producing a valid certificate of registration under this Act and if such person has any dealings or attempt to have any dealings he shall be guilty of an offence and liable, on conviction thereof, to a fine not exceeding one hundred thousand rupees or to imprisonment for a term not exceeding two years.</p>
Prohibition of members and officers from dealing with contractors and agents.	<p>12. Any member of a public body, a technical committee, tender board or evaluation board of such body or any officer or employee thereof or any State officer or the Registrar, except for the purposes of registration, shall not have any dealing with any person referred to in section 8 in regard to any matter arising out of or in relation to any public contract unless the persons referred to in section 8 first produce a valid certificate of registration issued under this Act. Any person who contravenes the provisions of this Act shall be guilty of an offence.</p>