

*Government Notice No. 282 of 2021***PUBLIC-PRIVATE PARTNERSHIP ACT****Regulations made by the Minister under section 12 of
the Public-Private Partnership Act****1. Citation**

These regulations may be cited as the Public-Private Partnership (Prescribed Threshold) Regulations 2021.

2. Interpretation

In these regulations –

“Act” means the Public-Private Partnership Act.

3. Prescribed threshold

(1) For the purpose of sections 3C(5A)(a) and (b), 3D(3)(a) and (b), 4(1)(da) and 10(1) of the Act, the prescribed threshold shall be 300 million rupees.

(2) The prescribed threshold under paragraph (1) shall be in relation to an upfront financial contribution to the capital cost of a project by the contracting authority.

4. Prescribed value for short-term consultant

For the purpose of section 3D(1)(b) of the Act, the prescribed value shall be one million rupees.

5. Selection of technical advisory firm and private party

(1) A contracting authority shall, for the purpose of –

- (a) section 3C(5A)(a) of the Act, set up a procurement committee for its internal procedures;

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- (b) section 3D(3)(a) of the Act, set up a procurement committee to hire the services of a technical advisory firm;
 - (c) section 4(1)(da) of the Act, set up a procurement committee to select a private party.
- (2) The procurement committee referred in paragraph (1) –
- (a) shall comprise representatives from the contracting authority and that of the technical advisory firm, if any;
 - (b) may, depending on the complexity of a project, have recourse to experts outside the contracting authority;
 - (c) shall ensure that all procurement proceedings are conducted in accordance with the Act, the regulations made under the Act and other established procedures;
 - (d) shall, when required, set up a negotiation committee to negotiate the contract with the preferred bidder; and
 - (e) make recommendations for the selection of a technical advisory firm or a private party.

6. Revocation

The Public-Private Partnership (Prescribed Threshold) Regulations 2020 are revoked.

7. Commencement

These regulations shall be deemed to have come into operation on 30 September 2021.

Made by the Minister on 15 November 2021.
