

No. 8 of 2002.

*The Tenders Board (Amendment)  
Act 2002.*

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ANTIGUA  
AND  
BARBUDA



[ L.S. ]

I Assent,

**James B. Carlisle,**  
*Governor-General.*

28th May, 2002.

**ANTIGUA AND BARBUDA**

**No. 8 of 2002**

**AN ACT** to amend the Tenders Board Act Cap. 424 A.

[ 6th June, 2002 ]

**ENACTED** by the Parliament of Antigua and Barbuda as follows —

**1.** This Act may be cited as the Tenders Board (Amendment) Act 2002. Short title

**2.** Section 4 of the Tenders Board Act, in this Act referred to as the principal Act, is amended as follows — Amendment of section 4 of Cap. 424 A.

(a) by the insertion after subsection (1) of the following —

"(2) The Board may exempt the Government or any statutory body to which this Act applies from the tender procedure under this Act."

(b) by renumbering subsection (2) as subsection (3).

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*The Tenders Board (Amendment)  
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Amendment of section 20 of Cap. 424 A.

3. Section 20 of the principal Act is amended as follows —

(a) by the repeal of subsection(1) and the substitution of the following —

"(1) Whenever articles or works or any services in connection therewith are required to be supplied or undertaken on behalf of the Government or a statutory body to which this Act applies, the Government or such statutory body shall apply in writing to the Board to —

(a) invite on its behalf tender for the supply of those articles or for the undertaking of the works or services in connection therewith; or

(b) grant it exemption from the tender procedure under this Act."

(b) by the repeal of subsection (2) and the substitution of the following —

"(2) The application referred to in —

(a) subsection (1) (a) shall contain sufficient description of the articles, works or services to be supplied or undertaken;

(b) subsection (1) (b) shall, in addition to the information provided under paragraph (a), contain sufficient reasons for requesting the grant of exemption from the tender procedure under this Act,"

and such application shall be signed by the Permanent Secretary of the Ministry concerned or in the case of a statutory body by the Managing Director or the administrative head of the statutory body as the case may be.

- (c) by the repeal of paragraph (b) of subsection (3) and the substitution of the following —

“(b) (i) invite such bodies or persons as may be selected by the Board to make offers for the supply of such articles or for the undertaking of such works or services, as the case may be, whenever the Board considers it expedient or desirable so to do; or

(ii) exempt the Government or any statutory body to which this Act applies from the tender procedure under this Act if the Board is satisfied that, having regard to the nature and circumstances of the supply of such articles or the undertaken of such works and services, it is expedient and desirable so to do.”

4. Any exemption from the tender procedure granted by the Board under this Act is hereby deemed to have been properly granted. **Validation.**

Passed the House of Representatives  
this 11th day of April, 2002.

Passed the Senate this 29th day  
of April, 2002.

**B. Harris,**  
*Speaker.*

**M. Percival,**  
*President.*

**S. Walker,**  
*Clerk to the House of Representatives.*

**S. Walker,**  
*Clerk to the Senate.*