



THE STATUTES OF THE REPUBLIC OF SINGAPORE

GOVERNMENT PROCUREMENT ACT 1997

2020 REVISED EDITION

This revised edition incorporates all amendments up to and including 1 December 2021 and comes into operation on 31 December 2021.

Prepared and Published by

THE LAW REVISION COMMISSION
UNDER THE AUTHORITY OF
THE REVISED EDITION OF THE LAWS ACT 1983

Government Procurement Act 1997

ARRANGEMENT OF SECTIONS

PART 1

PRELIMINARY

Section

1. Short title
2. Interpretation
3. Relevant State or relevant Protocol State
4. Application
5. Certification by Minister

PART 2

REGULATIONS GOVERNING PROCUREMENT

6. Power to make regulations
7. Duty of contracting authority

PART 3

CHALLENGE PROCEEDINGS

8. Government Procurement Adjudication Tribunal
9. Registrar and officers of Tribunal
10. Constitution of Tribunal
11. Parties may be represented at challenge proceedings
12. Initiation of challenge
13. Deposit
14. Fixing of hearing of challenge
15. Preliminary hearing
16. Suspension order
17. Onus of proof, etc.
18. Determination on challenge
19. Determination and order to be in writing
20. Satisfaction of order

Section

- 21. Costs of challenge proceeding
- 22. Procedure and powers of Tribunal

PART 4**MISCELLANEOUS**

- 23. Submission of information to Minister
 - 24. Retention of documents
 - 25. Power to make regulations
 - 26. Transitional provision
-

An Act to give effect to the Agreement on Government Procurement and other international obligations of Singapore relating to procurements by the Government and public authorities, and for purposes connected therewith.

[28/2004]

[13 May 2002]

PART 1**PRELIMINARY****Short title**

- 1. This Act is the Government Procurement Act 1997.

Interpretation

- 2. In this Act, unless the context otherwise requires —
 - “Agreement on Government Procurement” means the Agreement by that name done at Marrakesh on 15 April 1994 and amended by the Protocol;
 - “applicant” has the meaning given by section 12(1);
 - “award”, in relation to a contract or tender, means to accept an offer made;
 - “challenge proceeding” means any proceeding under Part 3;

“Commissioner” means the Commissioner appointed under section 8(2) and includes an acting Commissioner appointed under section 8(9);

“contracting authority” means a ministry or department of the Government, an Organ of State or a statutory board declared, by order made under section 4(1), as a contracting authority for the purposes of this Act;

“Deputy Commissioner” means a Deputy Commissioner appointed under section 8(2);

“document” includes an electronic record;

“legal officer” has the same meaning as in the Government Proceedings Act 1956;

“procurement” means procurement of goods or service or a combination of goods and service by any contractual means, such as purchase or lease, rental or hire-purchase, with or without an option to buy the goods or service or combination of goods and service;

“procurement subject to the Act” means a procurement declared, by order made under section 4(2), to be a procurement subject to this Act;

“Protocol” means the Protocol Amending the Agreement on Government Procurement done at Geneva on 30 March 2012;

“qualification of suppliers” means a process undertaken by a contracting authority to shortlist suppliers for a particular procurement, a particular type of procurement or procurement in general;

“relevant Protocol State” means a country or territory declared, by order made under section 3, as a relevant Protocol State for the purposes of this Act;