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PRESS RELEASE

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PUBLIC PROCUREMENT

The Government is pleased to announce that it has today passed three sets of regulations transposing into the laws of Gibraltar the four applicable EU directives on public procurement procedures.

These are the Public Contracts Regulations (transposing EU Directive 2004/18), the Utilities Regulations (transposing EU Directive 2004/17) and the Defence and Security Regulations (transposing EU Directive 2009/81). The Gibraltar Regulations also incorporate the transposition of EU Directive 2007/66 which contains a robust regime on remedies in cases where a public contract has been granted illegally or in a manner which is not in conformity with EU public procurement requirements.

The Government notes that the transposition deadline for the Public Contracts Regulations and the Utilities Regulations was 31 January 2006, for the remedies regime 20 December 2009 and for the Defence and Security Regulations 21 August 2011.

The Government is greatly concerned that, in view of the important and onerous public contracts that the previous administration had offered, they had nonetheless failed to transpose EU obligations in an area as sensitive as public procurement for a period of almost 6 years. The Government is glad to have prioritised this area for legislative action and to have now endowed Gibraltar with a full and comprehensive legislative regime in the area of public procurement, in accordance with what it promised in its Election Manifesto.

The Government will ensure that the new Regulations are fully complied with, including in respect to the new remedies that are available in the case of the grant of illegal public contracts.