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Second Session Thirteenth Parliament Republic of Trinidad and Tobago

REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 22 of 2026

[L.S.]

An Act to amend the Public Procurement and Disposal of Public Property Act, 2015 (Act No. 1 of 2015) and for other related matters

[Assented to 9th October, 2026]

ENACTED by the Parliament of Trinidad and Tobago as follows: Enactment

1. This Act may be cited as the Public Procurement and Disposal of Public Property (Amendment) Act, 2026. Short title

Interpretation Act No. 1 of 2015

2. In this Act, "the Act" means the Public Procurement and Disposal of Public Property Act, 2015.

Section 4 amended

3. Section 4 of the Act is amended by repealing the definition of "public-private partnership arrangement" and substituting the following definition:

" "public-private partnership" means any arrangement, agreement, contract, partnership or working relationship between a public body and a person for the purpose of designing, financing, constructing, operating, or managing public property;".

Section 7 amended

4. Section 7 of the Act is amended—

(a) in subsection (1) by deleting the word "arrangements";

(b) in subsection (6) by—

(i) deleting, in the chapeau, the word "services" and substituting the word "procurement";

(ii) deleting the word "or" at the end of paragraph *(d)*;

(iii) repealing paragraph *(e)*; and

(iv) inserting after paragraph *(d)*, the following new paragraphs:

"*(e)* energy, including natural gas and oil;

(f) national security;

(g) public-private partnership for public housing;

(h) public utilities for water, electricity and power generation in consequence of an emergency;

(i) the acquisition of goods, services or works in consequence of an emergency;

(j) such other procurement as the Minister may, by Order, determine.";

(c) in subsection (7) by deleting the word "*(e)*" and substituting the word "*(j)*"; and

(d) by inserting after subsection (9), the following new subsection:

"(10) For the purpose of this section, "emergency" means an exceptional and unforeseeable situation where—

(a) life, property, equipment or business continuity is immediately at risk; or

(b) where standards of public health, welfare or safety need to be re-established without delay.".

5. Section 44 of the Act is— Section 44 amended

(a) renumbered as section 44(1); and

(b) amended by inserting after the renumbered subsection (1), the following new subsections:

"(2) Notwithstanding any other provision of this Act, the Office shall not, in consequence of a complaint or an investigation under this Part—

(a) suspend, stay or otherwise restrain any procurement proceedings, the performance of a procurement contract or the operation of a framework agreement;

(b) prohibit a procuring entity from taking a decision or following a procedure in procurement proceedings;

(c) require a procuring entity to take, refrain from taking, reconsider, reverse or substitute any decision or action in procurement proceedings;

(d) direct the re-evaluation of any submission or the recommencement or termination of any procurement proceedings;

(e) overturn, invalidate, set aside or otherwise interfere with the award or performance of a procurement contract or framework agreement; or

(f) determine that any supplier or contractor is entitled to the award of a procurement contract.

(3) Any recommendation made by the Office under this Part—

(a) is advisory and shall not be binding upon a public body or any other person;

(b) shall not of itself affect the validity or operation of any decision, procurement proceedings, procurement contract or framework agreement; and

(c) shall not be enforceable as though it were a decision, direction or order made under Part V.".

Section 50 amended

6. Section 50 (10) of the Act is amended by—

(a) deleting the word "or" at the end of paragraph *(g)*;

(b) renumbering paragraph *(h)* as paragraph *(i)*; and

(c) inserting after paragraph *(g)* the following new paragraph:

"*(h)* require the payment of compensation for any legal costs incurred by the procuring entity in responding to an application submitted by the supplier or contractor utilising the prescribed costs regime under the Civil Proceedings Rules 1998; or". LN 31 of 1999

Section 58A repealed and replaced

7. Section 58A of the Act is repealed and replaced by the following new section:

"Exemption from this Act

58A. (1) The procurement of up to—

(a) two million dollars by—

(i) a Permanent Secretary;

(ii) the Chief Executive Officer or accounting officer of a State-controlled enterprise or a statutory body for which responsibility is assigned to a Minister of Government;

(iii) the Chief Administrator or an Administrator;

(iv) the Commissioner of Police; or

(v) the Chief Executive Officer of a company, enterprise or other similar entity for which responsibility is assigned to a Secretary; or

(b) five hundred thousand dollars by the Chief Executive Officer of a Municipal Corporation,

is exempt from the procurement requirements under this Act.

(2) The following officers shall report to the Office any contract awarded under subsection (1):

(a) a Permanent Secretary;

(b) the Chief Executive Officer or accounting officer of a State-controlled enterprise or a statutory body for which responsibility is assigned to a Minister of Government;

(c) the Chief Administrator or an Administrator;

(d) the Commissioner of Police;

(e) the Chief Executive Officer of a Municipal Corporation; or

(f) the Chief Executive Officer of a company, enterprise, or other similar entity for which responsibility is assigned to a Secretary.

(3) For the purpose of this section—

"Administrator" means the person holding or acting in the office established under section 73 of the Tobago House of Assembly Act; Chap. 25:03

"Chief Administrator" means the person holding or acting in the office established under section 71 of the Tobago House of Assembly Act; Chap. 25:03

"Secretary" means a member of the Executive Council of the Tobago House of Assembly to whom administrative responsibility is assigned under the Tobago House of Assembly Act.". Chap. 25:03

8. Section 63 of the Act is amended— Section 63 amended

(a) in subsection (1)*(a)*, by inserting after the words "Part V;" the word "and";

(b) in subsection (1)*(b)*, by deleting the words "; and" and substituting a full-stop;

(c) by repealing subsection (1)*(c)*; and

(d) by repealing subsection (4).

Regulations amended LN 26 of 2022

9. Regulation 7 of the Public Procurement and Disposal of Public Property (Evaluation) Regulations, 2021 is amended by deleting the words "ten working days and not more than fifteen working days" and substituting the words "five working days and not more than ten working days".

Regulations revoked LN 65 of 2024

10. The Public Procurement and Disposal of Public Property (Simplified Procurement) Regulations, 2024 is revoked.

Passed in the House of Representatives this 23rd day of September, 2026.

Clerk of the House (Acting)

Passed in the Senate this 28th day of September, 2026.

Clerk of the Senate

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