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## GENERAL NOTICES • ALGEMENE KENNISGEWINGS

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### THE PRESIDENCY

#### NOTICE 971 OF 2022

#### MR. DEAN MACPHERSON, MP

#### **NOTICE OF INTENTION TO INTRODUCE A PRIVATE MEMBER'S AMENDMENT BILL AND INVITATION FOR COMMENT ON THE DRAFT AMENDMENT BILL, NAMELY THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK AMENDMENT BILL, 2022**

Mr Dean Macpherson, MP, acting in accordance with section 73(2) of the Constitution of the Republic of South Africa, 1996, intends to introduce the Preferential Procurement Policy Framework Amendment Bill, 2022, in the National Assembly of Parliament. An explanatory summary of the member's draft Amendment Bill is hereby published in accordance with Rule 276(1)(c) of the Rules of the National Assembly (9<sup>th</sup> Edition).

The Preferential Procurement Policy Framework Act 5 of 2000 stipulates in section 2(1)(b)(i) and (ii), and 2(1)(d)(i), that an organ of state, when determining its preferential procurement policy must implement it within a framework that considers a tenderer's Broad Based Black Economic Empowerment (BBBEE) status.

The proposed Preferential Procurement Policy Framework Amendment Bill will seek to give priority to a tenderer's competency and removing the BBBEE consideration from the Preferential Procurement Policy Framework. Instead, preference should be given under certain circumstances, to a company which makes the most positive socio-economic impact as measured by a variety of Sustainable Development Goals (SDG's). The Bill will also seek to repeal the Broad-Based Black Economic Empowerment Act.

One of the most powerful ways government is able to implement policy, is through the manner in which it selects companies to do business with. This proposed Bill will under certain circumstances recognise companies which make the most positive socio-economic impact as measured by a variety of Sustainable Development Goals instead of BBBEE status. However, competency and pricing will take priority, as effective and cost-efficient service delivery will benefit those reliant on government services the most.

Interested parties and institutions are invited to submit written representations on the proposed content of the draft Bill to the Speaker of the National Assembly within 30 days of the publication of this notice. Representations can be delivered to the Speaker, New Assembly Building, Parliament Street, Cape Town; mailed to the Speaker, PO Box 15, Cape Town, 8000; or emailed to [speaker@parliament.gov.za](mailto:speaker@parliament.gov.za) and copied to [legislation@da.org.za](mailto:legislation@da.org.za).

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