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In Uzbekistan the Law “On Public Procurement” has been adopted in a new edition

On April 22, 2021, the Law of the Republic of Uzbekistan “On public procurement” No.3PY-684 (the “Law No.3PY-684”) in a new edition was adopted which comes into force on July 22, 2021. The Law No.3PY-684 introduces a number of amendments and additions to the terms, authority of the authorized bodies, and the types of procurement procedures for public procurement.

The Law No.3PY-684 introduced the following terms:

- ▶ Beneficial owner – a proprietor or party controlling the supplier of goods, works and services;
- ▶ Pre-qualification selection – carried out by the procurement commission among the participants, who meet the technical, economic, organizational and other features established in the procurement documentation;
- ▶ Reserve winner – a participant in procurement procedures following in turn after the winner;
- ▶ Affiliated person of a participant in procurement procedures – an individual or legal entity who has the right to make a decision and (or) influencing, also on the basis of a written agreement, on making decisions of a given participant in procurement procedures or having such a right in relation to this participant in procurement procedures.

It should be noted that the Law No.3PY-684 determined the Ministry of Finance of the Republic of Uzbekistan as an authorized body in the field of public procurement and approved its powers.

At the same time, the Cabinet of Ministers of the Republic of Uzbekistan (according to previous edition of the Law was an authorized body in the field of public procurement) was assigned the following revised powers:

- ▶ Taking measures for the rational use of budgetary funds, improving and expanding the types of procurement procedures, attracting business entities to participate in procurement procedures;
- ▶ Supervising the activities of State customers in procurement procedures;
- ▶ Approving the commission for consideration of complaints regarding public procurement procedures.

Moreover, the Law No.3PY-684 introduced a requirement to draw up a schedule for planned public procurement for the next year by December 25 of the current year.

Furthermore, the selection of the best offers and public procurement carried out by direct contracts were determined as the types of procurement procedures, which in turn replaced the previously existing procedures such as tender and public procurement from a single supplier.

In addition, the Law No.3PY-684 also introduced a requirement for conducting procurement procedures in electronic form, which will become mandatory starting from January 1, 2022.

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