



REPUBLIC OF NAMIBIA

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**NAMIBIA**

01 September 2020

**HON MINISTERS**

**HON GOVERNORS**

**YOUR WORSHIP THE MAYORS**

**CHAIRPERSONS OF BOARDS**

**THE REVIEW PANEL**

*Attention: - All Accounting Officers of Public Entities*

*- Secretary to the Review Panel*

**GENERAL EXEMPTION TO ALL PUBLIC ENTITIES WITH REGARD TO THE SERVICE OF DOCUMENTS AS PER REGULATION 57 OF THE REGULATIONS TO THE PUBLIC PROCUREMENT ACT, 2015 IN LIGHT OF COVID-19**

1. Reference is made to the above-mentioned subject matter, with regard to the servicing of documents as per Regulation 57 of the Regulations to the Public Procurement Act, 2015 (the Act).
2. Regulation 57 reads  
*"Service of Documents*

57. (1) Unless otherwise stated by the Act, a notice, order or other document required to be served, delivered or submitted to the Review Panel, public entity or any other person in terms of these regulations is served, delivered or submitted in the manner provided for by sub regulation (2).

(2) A notice, order or other document required to be served or delivered to any person in terms of these regulations may be served -by delivering it personally to such person or the person's duly authorized agent;

- (a) where a postal address is given, by sending it by registered post to that address;
- (b) where a facsimile number has been given, by transmitting it by facsimile to that address;
- (c) by delivering it at the person's place of residence or place of employment or place of business to a person apparently 16 years of age or older and apparently residing or employed there; or
- (d) in the case of a juristic person, at its local office or principal place of business a director, secretary or any other person responsible for the management of the juristic person

(3) Service may be proved –

- (a) in any case, by an acknowledgment of service signed by the person to be served;
- (b) by a written statement of the person who made the service; or
- (c) service by registered post may be proved by a signed post-office receipt showing that the letter was send."

3. It follows that Regulation 57 does not allow exchange of review documents by means of email. However, in the current times we face of the Covid-19 pandemic, email services have proven to be the most effective as it does not pose a health risk to the parties concerned as hard copies do.

4. In light of the above and in terms of Section 4(2) of the Act), I hereby grant a general exemption from the provisions of Regulation 57 which is to remain in force until such time as necessary to reduce the spread of Covid-19.

  


IPUMBU SHIIMI, MP

**MINISTER**