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GOVERNMENT NOTICE

DEPARTMENT OF NATIONAL TREASURY

No. R. 194

11 March 2005

PREVENTION AND COMBATING OF CORRUPT ACTIVITIES ACT, 2004 (ACT NO. 12 OF 2004)

REGULATIONS REGARDING THE REGISTER FOR TENDER DEFAULTERS

The Minister of Finance has under sections 32 and 33 of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004), made the Regulations in the Schedule.

SCHEDULE

Information to be entered into Register

1. (1) The Registrar must enter at least the following particulars in the Register, where applicable:

- (a) Names of persons convicted;
- (b) identity numbers;
- (c) trade name of enterprises;
- (d) company registration numbers;
- (e) income tax reference numbers;
- (f) vat registration numbers;
- (g) names of persons identified by the court of law to have **been** implicated by the conviction;
- (h) enterprises linked to the convicted enterprise;
- (i) conviction and sentence;
- (j) any other order of the court; and
- (k) period of endorsement contemplated in section 28 (3) (a) (ii) of the Act.

Notice of entry into Register

2 The Registrar must forward a copy of a new entry in the Register, within 14 days after such entry to –

- (a) A person whose particulars have been so endorsed;
- (b) any enterprise involved;
- (c) any other person involved;
- (d) any purchasing authority which the Registrar may deem **necessary** to inform; and
- (e) **all public bodies to which these Regulations apply.**

Period for which information must be retained in the Register

3. The period for which the information with regards to a particular enterprise or person must be retained in the Register must be **for** twenty years.

Format of Register

4. The Registrar must keep the Register electronically as well **as** in hard copy format.

Access to Register

5. (1) The Registrar must provide a certified copy of the Register when so requested in writing.
- (2) The Register of Tender Defaulters must be available for public access on Mondays to Fridays, excluding public holidays, from 8:00 to 16:00 at the Office of the National Treasury, 240 Vermeulen Street, Pretoria.
- (3) A copy of the Register must be placed and maintained on the website of the National Treasury, address www.treasury.gov.za.

Safe-keeping and Disposal of Records

6. The National Treasury will be responsible for the safe-keeping and disposal of **all** the records and documentation pertaining to the Register of Tender Defaulters in accordance with the National Archives Act, (Act No. 43 of 1996).

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