

**NATIONAL TREASURY
FROM THE OFFICE OF
THE CHIEF PROCUREMENT OFFICER**

**OCPO ADVISORY TO GOVERNMENT INSTITUTIONS:
MINISTER OF FINANCE v
AFRIBUSINESS NPC
CCT279/20**

As reported in the communication issued to government institutions on 4 December 2020, the Minister of Finance applied for leave to appeal the judgment issued by the Supreme Court of Appeal (SCA). The matter was heard by the Constitutional Court on 25 May 2021 and judgment was reserved.

The appeal to the Constitutional Court suspended the SCA judgment. Should the Constitutional Court dismiss the appeal by the Minister of Finance and uphold the decision of the SCA, the Constitutional Court will, in its judgment, indicate the period of suspension of invalidity to allow the Minister time to amend the Regulations. Therefore, while awaiting the judgment, institutions must continue to comply with the Preferential Procurement Regulations, 2017 in their procurement processes, until further notice.



national treasury

Department:
National Treasury
REPUBLIC OF SOUTH AFRICA



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