



## **TVET CURRICULUM DEVELOPMENT, ASSESSMENT AND CERTIFICATION COUNCIL (TVET CDACC)**

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Ref: CDACC/FIN 4/1 VOI 3 (228)

Date: 1<sup>st</sup> October, 2024

To: All our stakeholders

### **RE: NOTICE TO ALL CLIENTS/STAKEHOLDERS ON THE PUBLIC PROCUREMENT CAPACITY BUILDING LEVY ORDER, 2023**

TVET Curriculum Development, Assessment and Certification Council (TVET CDACC) is a body corporate established under the Technical and Vocational Education and Training Act No. 29 of 2013, Article 44 (1) to undertake design and development of Curricula for training institutions, examination, assessment and competence certification.

As a public entity, we are obligated to implement policies, directives and legal notices issued by government and its agencies from time to time. In this regard, the Council wish to bring to your attention of a public notice issued by Public Procurement Regulatory Authority (PPRA) regarding the effective date for deduction of the Public Procurement Capacity Building Levy order, 2023 by procuring entities.

This letter therefore serves as a notice to all our stakeholders that effective from the date of this letter, the Council will be deducting the said levy in every procurement transaction made with the Council. The Public notice issued by PPRA is attached for ease of reference.

We look forward to our continued mutual working relationship.

Prof. Kisilu M. Kitainge  
CEO/COUNCIL SECRETARY



## PUBLIC NOTICE

### **NOTICE TO PROCURING ENTITIES, SUPPLIERS, CONTRACTORS, CONSULTANTS, SERVICE PROVIDERS AND STAKEHOLDERS OF THE EFFECTIVE DATE OF LEGAL NOTICE NO. 206: THE PUBLIC PROCUREMENT CAPACITY BUILDING LEVY ORDER, 2023**

The Public Procurement Regulatory Authority (the Authority) is established under Section 8 of the Public Procurement and Asset Disposal Act, 2015 (the Act) which inter alia is mandated to monitor, assess and review the public procurement and asset disposal system to ensure that they respect the national values, the principles under Article 227 and other provisions of the Constitution of Kenya 2010, including making recommendations for improvements. Additionally, the Authority also promotes and supports the training of persons involved in public procurement and asset disposal proceedings.

In order, to provide funds for the capacity development of persons involved in public procurement and asset disposal proceedings through mentoring, training, and technical assistance, the Cabinet Secretary, National Treasury and Economic Planning, pursuant to Sections 24(5)(d) and 180 of the Act, issued the **Public Procurement Capacity Building Levy Order, 2023** (hereinafter referred to as 'The Levy Order, 2023') vide **Legal Notice No. 206 of 6<sup>th</sup> November, 2023**.

Paragraph 3(1) of The Levy Order, 2023; provides that there ***shall be paid a Levy by a supplier on all procurement contracts signed between the supplier and a procuring entity, at the rate of zero point zero three per centum (0.03%) of the value of the signed contract, exclusive of applicable taxes.***

The Authority on this day of **30<sup>th</sup> August, 2024** wishes to notify procuring entities and other stakeholders of the following:

1. **The commencement date** for The Levy Order, 2023 is **1<sup>st</sup> September, 2024**;
2. The Levy Order, 2023 shall apply to all signed contracts resulting from all procurement proceedings initiated from **1<sup>st</sup> September, 2024**;
3. The Levy Order, 2023 shall also apply to any contract extensions, renewals and/or variations made from **1<sup>st</sup> September, 2024**;
4. The Levy Order, 2023 shall equally apply to contracts that are long term in nature (Term Contracts) where Local Service Orders (LSOs) or Local Purchase Orders (LPOs) are raised as and when orders are made;

5. Procuring entities shall remit the Levy amounts to **the Authority** through the **eCitizen payment platform** by the 20<sup>th</sup> day of the subsequent month; failure to which a penalty of 5% of the outstanding levy amounts shall apply for each and every month the levy amount remains unpaid; and
6. All procuring entities shall file monthly returns by the 20<sup>th</sup> day of the subsequent month on all levy amounts deducted and remitted to the Authority through the Public Procurement Information Portal (<https://tenders.go.ke>).

All stakeholders including the General Public, Procuring Entities, Suppliers, Contractors, Consultants and other persons participating in the public procurement and asset disposal system; shall take note of the effectiveness of the Levy Order 2023 and ensure compliance.

The Authority will organise stakeholder sensitization forums from September, 2024 on implementation of The Levy Order 2023, alongside continuous engagement and collaboration to enhance compliance with the provisions/requirements of the Legal Notice No. 206.

For any clarifications and information on The Public Procurement Capacity Building Levy Order 2023, please contact the undersigned through [info@ppra.go.ke](mailto:info@ppra.go.ke).

**THE DIRECTOR GENERAL**  
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