

- a) A procuring entity which receives a statement of denial pursuant to section 7(4) of these Guidelines may choose to make a second application for a “certificate of no-objection” to award of contract after a modification of the reason(s) for such non-compliance to become compliant.
  - b) Where a second application pursuant to section 7 of these Guidelines is received by the Commission, the procedures contained at section 7(1)(a)(b) (c) shall again be adopted. Where a second application is denied, it shall be accompanied by a recommendation to the Director-General of the Commission on such remedies, if any, which shall be in accordance with the provisions of the Law and these Guidelines.
8. (1) A procuring entity dissatisfied with any decision made pursuant to the provisions of section 7 of these Guidelines shall be entitled to make a written complaint to the Commission in such a manner as to give specific details of the particular decision complained against, the Department responsible for the complaint accompanied by the file to which the complaint relates.
- (2) The Department complained against shall within 14 (fourteen) working days of the receipt of the documents of complaint prepare a defence and forward the same to the Director-General of the Commission who shall then cause the complaint, defence and further documents to be forwarded to the Procurement Council .
- (3) The Council shall upon receipt of such complaint and defence thereof, give any Order as shall be consistent with the provisions of the Law or these Guidelines.
- (4) The procedure adopted for issuance of a certificate of no objection to contract award at paragraphs 7(1) shall apply to approvals made by the Commission pursuant to section 45(1) of the Law to the extent that these Guidelines allow for consistency with the provisions of the Law.
- (5) Any certificate issued other than in accordance with the provisions of these Guidelines shall be null and void.