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66. El Salvador has not adopted the WTO Plurilateral Agreement on Government Procurement.

67. The General Budget Law (*Ley General del Presupuesto*) regulates the purchases of both the central Government and the autonomous institutions. However, central government purchases are also ruled by the Procurement Law (*Ley de Suministro*) and Instruction 6023A (*Instructivo 6023A*), while the autonomous institutions are ruled by laws specific to each. These specific laws establish different thresholds than those established for the purchases of the Central Government. They also establish a different methodology on tendering procedures which seems to promote more competition.

68. Central government contracts for planned purchases whose value exceeds C 50,000 are put out to public tender for both domestic and foreign suppliers. Foreigners need to have a legal representation in El Salvador and have a VAT registration. According to the authorities, there are no other requirements for foreigners and no discrimination among nationals and foreigners.

69. Purchases by autonomous institutions such as the National Telecommunications Administration (*Administración Nacional de Telecomunicaciones*, ANTEL), the National Aqueducts and Sewers Systems Administration (*Administración Nacional de Acueductos y Alcantarillados*, ANDA), and the Salvadorian Institute of Social Security (*Instituto Salvadoreño del Seguro Social*, ISSS) are regulated by specific laws which set minimum thresholds for open tenders. In these cases, bids may be either private or public, and both nationals and foreigners may participate. In addition, the autonomous institutions are allowed to call international tenders when the purchase involves goods not locally produced and the contract exceeds a minimum threshold.

70. The Government has recently decentralized the process of purchasing, giving more independence to the ministries and other government institutions.¹ More independence has been granted through the formation of purchasing committees (*Comisiones de compras*). In these committees, the procurement department of each institution has an active rôle since it is better able to determine the needs of the institution. The committees also initiate the process of calling for tenders and then award (*adjudicaciones*). The Government Accounting Office (*Corte de Cuentas de la República*) audits the process. Where the award is contested, an administrative process is available, as well as recourse to the judicial system.

¹Instruction 6023A, as amended.