

The Public Procurement and Disposal of Public Assets Guidelines

Guidelines issued by the Public Procurement and Disposal of Assets Authority under Section 97 of the Public Procurement and Disposal of Assets Act No 1 of 2003;

Details covered in this Guideline:

Guideline Subject:	Appointment of Members of the Contracts Committee
Guideline Reference:	5/2004
Guideline Issue Date:	27th May 2005
Total number of pages	Two

Guidelines are distributed to all Accounting Officers who are responsible for distributing copies of this Guideline to at least the Chairpersons of the Contracts Committee and the Head of the Procurement and Disposal Unit of the Procuring and Disposing Entity.

Guideline Subject: Appointment of Members of the Contracts Committee

1. In order to maintain independence of functions and ensure that there is no undue influence on the decisions of the Contracts Committee, the following categories of persons shall not be nominated by the Accounting Officer to the Contracts Committee;
 - (a) any member of the board of directors or governing body of the procuring and disposing entity;
 - (b) any member of the procurement and disposal unit;
 - (c) any member of staff of the procuring and disposing entity to whom the Accounting Officer has delegated any of the following functions-
 - (ii) certifying the availability of funds prior to the commencement of any procurement or disposal process;
 - (iii) committing funds prior to contract placement; and
 - (iv) communicating award decisions.
2. Accounting Officers shall ensure that when nominating members of the Contracts Committee apart from the lawyer, there is a balance of technical competence, seniority, professional discipline and experience in public procurement. However, the Accounting Officer shall not nominate more than two members from one department.
3. Accounting Officers of procuring and disposing entities with a board of directors or other governing body by whatever name called shall ensure that the nominations to the Contracts Committee are approved by this body. However, no actual appointment of the members of the Contracts Committee shall be made without the prior approval of the Secretary to the Treasury.

Signed:

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Chairman of the Board of Directors Executive Director of the Authority
Public Procurement and Disposal of Public Assets Authority