

**PUBLIC PROCUREMENT (AMENDMENT) BILL, 2021**

*(Bill No. 30 of 2021)*

**OBJECTS AND REASONS**

This Bill seeks to amend sections 14 and 99 of the Public Procurement Act, 2008, (Cap. 305).

The purpose of the amendment is to confine the appointment of representatives to the National Tender Board and the Review Panel, to persons that have the necessary expertise and competence to effectively manage the affairs and responsibilities of the Board and the Panel.

**Dated this 16th day of July, 2021.**

**FRANK D.R. ALLY  
ATTORNEY-GENERAL**

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**ARRANGEMENT OF SECTIONS**

**Sections**

1. Short title
2. Amendment of section 14 of Cap 305
3. Amendment of section 99
4. Transitional provisions

**PUBLIC PROCUREMENT (AMENDMENT) BILL, 2021**

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**A BILL**

**FOR**

**AN ACT to amend the Public Procurement Act, 2008 (Cap. 305).**

**ENACTED** by the President and the National Assembly.

**Short title**

**1.** This Act may be cited as the Public Procurement (Amendment) Act, 2021.

**Amendment of Section 14 of Cap 305**

1. Section 14 of the Public Procurement Act, 2008 (Cap. 305) (hereinafter referred to as the “principal Act”) is amended by —

- (a) renumbering subsections (2) and (3) as subsections (3) and (4);
- (b) repealing subsection (1), and substituting therefor the following subsection —

“(1) The President on the recommendation of the Minister shall appoint to the Board —

- (a) a chairperson; and
  - (b) 6 other members, of which 3 members shall be from the private sector.
- (c) by inserting after subsection (1) the following subsection —

“(2) The members appointed under subsection (1) shall be persons of integrity, possessing qualifications and experience in public administration, general economics, legal matters, finance, engineering or technical fields.”

**Amendment of Section 99**

3. Section 99 of the principal Act is amended —

- (a) by repealing subsection (1) and substituting therefor the following —

“(1) There shall be a Review Panel whose members shall be appointed by the President on recommendation of the Minister, consisting of —

- (a) a Chairperson; and
- (b) 4 other members, of which 2 members shall be from the private sector.”

- (b) by repealing subsection (2) and substituting therefor the following —

“(2) The members appointed under subsection (1) shall be persons of integrity, possessing qualifications and experience in public administration, general economics, legal matters, finance, engineering or technical fields.”

### **Transitional provisions**

**4.** On the commencement of this Act —

- (a) the members of the Board and the Review Panel, established by sections 14 and 99 of the Public Procurement Act, 2008 prior to the commencement of this Act, shall cease to be members as such and shall vacate their office; and
- (b) such members shall not be entitled to claim any compensation for the premature termination of the term of their office or of any contract of service.