



## **Press Release**

It has come to the notice of the Anti-Corruption Commission (ACC) and the National Public Procurement Authority (NPPA) that a number of public entities in the country are engaged in various forms of procurement without complying with the provisions of the Public Procurement Act 2004.

The Public Procurement Act applies “to the procurement of goods, works and services, including any procurement financed in whole or in part from public or donor funds by the following bodies or organizations:-

- (a) central government ministries, departments, commissions and agencies;
- (b) local councils;
- (c) subvented agencies;
- (d) state-owned enterprises which utilize public funds;
- (e) public universities colleges, hospitals and all companies which are wholly owned by the state or in which the state has majority interest; and
- (f) any entity in the private sector which is given the responsibility for carrying out activities using public funds.

The ACC and NPPA calls on all public entities to fully comply with the provisions of the Act. Section 33 of the Public Procurement Act provides that any public officers involved in requisitioning, planning, preparing and conducting procurement proceedings and administering the implementation of contracts, shall –

- 1 discharge his duties impartially so as to assure fair competitive access to public procurement by bidders;
- 2 always act in the public interest, and in accordance with the object and procedures set out in this Act, in the regulations and in accordance with the Public Service codes of ethics, if any, and where applicable, the Local Government Act, 2004;

- 3 at all times avoid conflicts of interest, and the appearance of conflicts of interest, in carrying out his duties and conducting himself and immediately disclose any conflict of interest and excuse himself from any involvement in the matter.
- 4 not commit or abet corrupt or fraudulent practices, coercion or collusion, including the solicitation or acceptance of any inducements;
- 5 keep confidential the information that comes into his or her possession relating to procurement proceedings and to bids, including bidders' proprietary information;
- 6 not take up a position of authority in any private concern with which he undertook procurement activities for a period of three years after departure.

In addition, public entities are required in Section 18 of the Public Procurement Act to report on all procurement activities on quarterly bases to the National Public Procurement Authority. Contravention of the provisions of the Act will render Public Officers liable to administrative and civil sanctions as well as prosecution under the Anti-Corruption Act 2000 as amended.

**Abdul Tejan-Cole**  
Commissioner

**Dr. Alfred Kandeh**  
Chief Executive Officer, Procurement