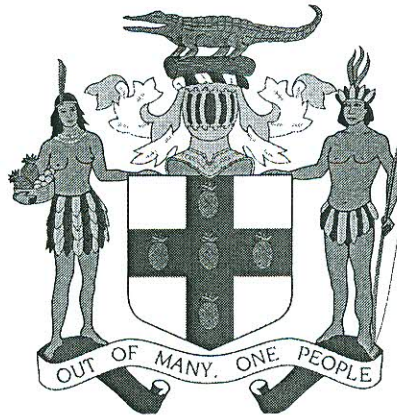


**MINISTRY PAPER NO.**



**PROMULGATION OF  
PROCUREMENT REGULATIONS**

**Ministry of Finance and the Public Service  
December 2008**

## PROMULGATION OF REGULATIONS FOR PUBLIC SECTOR PROCUREMENT

### **Background**

The absence of a legal regime governing procurement has made regulation of the area extremely weak. This observation has been made in a number of assessments done on Jamaica's procurement system by international lending agencies. The most recent was the joint Country Procurement Assessment Report (CPAR) done by the IDB and World Bank in 2005.

Over the years, the Auditor General's report has consistently highlighted breaches of government's procurement procedures with little or no sanctions being applied against culpable individuals. This has been iterated in reports done by the Contractor General and Ministry of Finance and the Public Service audit teams. The Public Accounts Committee (PAC) has also repeatedly called for punitive action to be taken against public officers who flout the procurement rules. However, with the exception of administrative discipline at the Permanent Secretary's discretion, no sanctions are currently available for such breaches.

Parliament is reminded that on Tuesday, December 2, 2008 a body of procedures, the draft Handbook of Public Sector Procurement Procedures (Revised) was tabled. Parliament is hereby informed that it is the intention of the Government to issue Regulations for Procurement under **Section 31** of the Contractor General's Act to further strengthen and regulate this area.

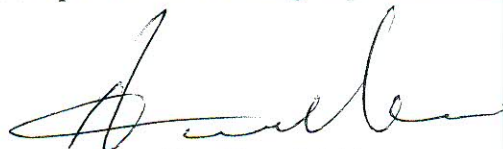
### **Purpose and Objective**

The purpose of the Regulations is to set legally binding and uniform rules for procurement in all public sector entities so as to enhance the regulatory framework and improve enforcement. The Regulations will provide policy rules to all personnel of the Government of Jamaica engaged in any aspect of procurement functions.

### **Rationale**

The government therefore has considered it desirable to have enforceable provisions in the procurement of general services goods and works so as to promote the objectives of:

- a) Maximizing economy and efficiency in public procurement;
- b) Fostering and encouraging participation in public procurement proceedings
- c) Promoting competition among suppliers and contractors for the supplying of goods, services and works to be procured;
- d) Providing for the fair and equitable treatment of all suppliers and contractors;
- e) Promoting integrity of, and fairness and public confidence in the public procurement process;
- f) Achieving transparency in the procedures relating to procurement.



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December 9, 2008