

## PROPOSED FUNCTIONS OF REGULATOR - 2014 PROCUREMENT BILL

1. (1) The functions of the Office are to –
  - (a) establish a comprehensive database of information on public procurement, including information on tenders received, the award and value of contracts, and such other information of public interest as the Office thinks fit;
  - (b) set training standards, competence levels and certification requirements to promote best practices in procurement;
  - (c) prepare, update and issue authorized handbooks, incorporating standardized bidding documents, procedural forms and relevant documents for use in public procurement and disposal of public property;
  - (d) promote the use of technology in public procurement and disposal of public property;
  - (e) issue and review guidelines in relation to public procurement, retention and disposal of public property;
  - (f) provide best practice advice in the conduct of procurement activities, including the promotion of electronic transactions;
  - (g) audit and review the system of procurement and disposal of public property to ensure compliance with the objectives of the Act;
  - (h) harmonize policies, systems and practices in relation to public procurement activities and the disposal of public property;
  - (i) review procurement practices and delivery systems on an annual basis to identify best practices;
  - (j) determine, develop, introduce, maintain and update related system-wide data-bases and technology;
  - (k) promote the awareness of public bodies and the public to issues relating to public procurement and disposal of public property;
  - (l) undertake research and surveys with respect to public procurement and disposal of public property;

- (m) investigate, on its own initiative or upon complaint from any party involved in public procurement or disposal of public property or any member of the public, any alleged or suspected breach of this Act;
- (n) act for, in the name and on behalf of the State to dispose of real property owned by the Government in such manner as the Government may consider appropriate and desirable;
- (o) create and publish standard form contracts for public procurement and disposal of public property;
- (p) prepare and maintain a database of pre-qualified contractors and suppliers;
- (q) prepare and maintain a list of pre-qualified mediators and arbitrators for the purposes of alternative dispute resolution under this Act;
- (r) provide best practice advice on the aggregation of the procurement or disposal of goods for the purpose of obtaining best value;
- (s) make recommendations to the Minister on any matter relating to the administration of this Act; and
- (t) do such other acts as appear to it to be necessary.

(2) In the exercise of its functions, the Office shall –

- (a) act expeditiously and take such other steps as it thinks fit in order to minimize any negative economic impact arising out of the performance of its functions; and
- (b) not be subject to the direction or control of any other person or authority in the performance of its functions, but shall be accountable to the Parliament.