

# **The Public Procurement and Disposal of Public Assets Guidelines**

*Guidelines issued by the Public Procurement and Disposal of  
Public Assets Authority under Section 97 of the Public  
Procurement and Disposal of Public Assets Act, 2003.*

## **Details covered in this Guideline:**

**Guideline Reference:** 4/2014

**Guideline Subject:** Codes of Ethical Conduct for Bidders and  
Providers

**Date of commencement:** 3<sup>rd</sup> March 2014

*Guidelines are distributed to all Accounting Officers who are responsible for  
distributing copies of this Guideline to the Contracts Committee and members of the  
Procurement and Disposal Unit of the Procuring and Disposing Entity*

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**Guideline Subject: Codes of Ethical Conduct**

As specified in Section 93(1) of the Public Procurement and Disposal of Public Assets Act, 2003, public officers and experts engaged to deliver specific services are required to sign and adhere to the Code of Ethical Conduct in Business cited in the Fifth Schedule to the Act. This code is reproduced here for ease of reference.

Bidders and Providers are required to adhere to the Code of Ethical Conduct for Bidders and Providers contained in this guideline. A copy of the Code of Ethical Conduct for Bidders and Providers is displayed on the website of the Authority at [www.ppda.go.ug](http://www.ppda.go.ug)

The Code of Ethical Conduct shall be part of the bid submission sheet and shall be signed by the bidders.

Signed:



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Chairman of the Board of Directors



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Executive Director

## **CODE OF ETHICAL CONDUCT IN BUSINESS FOR BIDDERS AND PROVIDERS**

*(Under Section 93 of the Public Procurement and Disposal of Public Assets Act, 2003)*

### **1. Ethical Principles**

Bidders and providers shall at all times-

- (a) maintain integrity and independence in their professional judgement and conduct;
- (b) comply with both the letter and the spirit of-
  - i. the laws of Uganda; and
  - ii. any contract awarded.
- (c) avoid associations with businesses and organisations which are in conflict with this code.

### **2. Standards**

Bidders and providers shall-

- (a) strive to provide works, services and supplies of high quality and accept full responsibility for all works, services or supplies provided;
- (b) comply with the professional standards of their industry or of any professional body of which they are members.

### **3. Conflict of Interest**

Bidders and providers shall not accept contracts which would constitute a conflict of interest with, any prior or current contract with any procuring and disposing entity. Bidders and providers shall disclose to all concerned parties those conflicts of interest that cannot reasonably be avoided or escaped.

### **4. Confidentiality and Accuracy of Information**

- (1) Information given by bidders and providers in the course of procurement processes or the performance of contracts shall be true, fair and not designed to mislead.
- (2) Providers shall respect the confidentiality of information received in the course of performance of a contract and shall not use such information for personal gain.

### **5. Gifts and Hospitality**

Bidders and providers shall not offer gifts or hospitality directly or indirectly, to staff of a procuring and disposing entity that might be viewed by others as having an influence on a government procurement decision.

### **6. Inducements**

- (1) Bidders and providers shall not offer or give anything of value to influence the action of a public official in the procurement process or in contract execution.
- (2) Bidders and providers shall not ask a public official to do anything which is inconsistent with the Act, Regulations, Guidelines or the Code of Ethical Conduct in Business.

### **7. Fraudulent Practices**

Bidders and providers shall not-

- (a) collude with other businesses and organisations with the intention of depriving a procuring and disposing entity of the benefits of free and open competition;
- (b) enter into business arrangements that might prevent the effective operation of fair competition;
- (c) engage in deceptive financial practices, such as bribery, double billing or other improper financial practices;
- (d) misrepresent facts in order to influence a procurement process or the execution of a

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contract to the detriment of the Procuring and Disposing Entity; or utter false documents.

- (e) unlawfully obtain information relating to a procurement process in order to influence the process or execution of a contract to the detriment of the PDE
- (f) withholding information from the PDE during contract execution to the detriment of the PDE.

I ..... agree to comply with the above code of ethical conduct in business.

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**AUTHORISED SIGNATORY**

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**NAME OF BIDDER/PROVIDER**