

STATUTORY INSTRUMENTS SUPPLEMENT

to The Uganda Gazette No. 9 Volume CVII dated 14th February, 2014

Printed by UPPC, Entebbe, by Order of the Government.

S T A T U T O R Y I N S T R U M E N T S

2014 No. 12.

**THE PUBLIC PROCUREMENT AND DISPOSAL OF PUBLIC ASSETS
(PROCURING AND DISPOSING ENTITIES OUTSIDE UGANDA)
REGULATIONS, 2014**

ARRANGEMENT OF REGULATIONS

Regulation.

PART I—PRELIMINARY.

1. Title and Commencement.
2. Application.
3. Interpretation.

PART II—PROCUREMENT ACTIVITIES.

4. Contracts Committee, evaluation committee and procurement and disposal unit.
5. Reports to the Authority.
6. Procurement method to be determined by threshold.
7. Minimum bidding periods.
8. Bid security.

PART III—DISPOSAL OF PUBLIC ASSETS.

9. Selection of disposal method.

SCHEDULES

- Schedule 1 – Size of the contracts committee, evaluation committee and procurement and disposal unit
- Schedule 2 – Form
Form 27—Quarterly report on procurement and disposal contracts

S T A T U T O R Y I N S T R U M E N T S

2014 No. 12.

The Public Procurement and Disposal of Public Assets (Procuring and Disposing Entities Outside Uganda) Regulations, 2014.

(Under section 96(2) of the Public Procurement and Disposal of Public Assets Act, 2003)

IN EXERCISE of the powers conferred upon the Minister responsible for finance by section 96(2) of the Public Procurement and Disposal of Public Assets Act, 2003, on the recommendation of the Authority and with the approval of Parliament, these Regulations are made this 6th day of February, 2014.

PART I—PRELIMINARY

1. Title and Commencement.

These Regulations may be cited as the Public Procurement and Disposal of Public Assets (Procuring and Disposing Entities Outside Uganda) Regulations, 2014.

(2) These Regulations shall come into force on the 3rd day of March, 2014.

2. Application.

(1) These Regulations apply to all public procurement and disposal activities carried out by a procuring and disposing entity outside Uganda.

(2) All regulations made under the Act shall apply to a procuring and disposing entity outside Uganda as modified by these Regulations.

3. Interpretation.

In these Regulations, unless the context otherwise requires—

“Act” means the Public Procurement and Disposal of Public Assets Act, 2003;

“host country” means the country in which a procuring and disposing entity outside Uganda, is based, located or operates;

“Ministry” means the Ministry responsible for foreign affairs;

“Mission” means an Embassy, High Commission or Consulate of Uganda in a country to which a Uganda representative is accredited;

“procuring and disposing entity outside Uganda” includes a mission.

PART II—PROCUREMENT ACTIVITIES

4. Contracts Committee, evaluation committee and procurement and disposal unit.

(1) The contracts committee and the procurement and disposal unit of a procuring and disposing entity outside Uganda shall be made up of Ugandan nationals within the procuring and disposing entity.

(2) The contracts committee, evaluation committee and the procurement and disposal unit of a procuring and disposing entity outside Uganda shall be determined by the size of the procuring and disposing entity as specified in Schedule 1.

(3) Subject to sub regulation (4) the evaluation committee of a procuring and disposing entity outside Uganda shall consist of Ugandan nationals within the procuring and disposing entity.

(4) Where a procuring and disposing entity cannot constitute an evaluation committee from the Ugandan nationals within the procuring and disposing entity, the evaluation committee may be made up of—

- (a) persons within the procuring and disposing entity who are not Ugandan nationals; or
- (b) Ugandan nationals within the host country who are not within the procuring and disposing entity.

5. Reports to the Authority.

(1) A procuring and disposing entity outside Uganda shall after every three months, submit a report to the Authority on all procurement and disposal contracts awarded during the three months.

(2) The report shall be made using Form 27 in Schedule 2 and shall be submitted within fifteen days after the end of the three months to which the report relates.

6. Procurement method to be determined by threshold.

A procuring and disposing entity outside Uganda shall determine the method of procurement using the value prescribed by the Authority by guidelines.

7. Minimum bidding periods.

(1) The minimum bidding period by a procuring and disposing entity outside Uganda is—

- (a) ten working days for the open bidding method;
- (b) five working days for the restricted bidding method; and
- (c) three working days for the request for quotations or proposals method;

(2) The direct procurement method shall not have a minimum bidding period.

8. Bid security.

A procuring and disposing entity outside Uganda shall only require a bid security where the open bidding method is used.

PART III—DISPOSAL OF PUBLIC ASSETS

9. Selection of disposal method.

In addition to the conditions and rules for disposal using the different methods specified in the Public Procurement and Disposal of Public Assets (Disposal of Public Assets) Regulations, 2014, a procuring and disposing entity outside Uganda shall take into account any requirement for disposal required by the host country.