

THE OFFICE OF PROCUREMENT REGULATION

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PUBLIC ADVISORY #9

THE ROLE AND ACCOUNTABILITY OF THE “NAMED” PROCUREMENT OFFICER

The Office of Procurement Regulation (The OPR) wishes to remind all public bodies and persons/entities in receipt of public money that the role of the “named” Procurement Officer is a critical function with respect to the sustainable implementation and enforcement of the Public Procurement and Disposal of Public Property Act (the Act), 2015 (as amended).

Thus, **section 61 (2)** provides -

For the purpose of this Act, a public body shall have a procurement officer who shall be responsible for public procurement and the disposal of public property for that body and shall notify the Office, in writing, of the name and designation of its procurement officer.

Also, **section 61 (3)** states that -

A reference in this Act to the commission of an offence by a public body shall be construed as a reference to the commission of the offence by the procurement officer referred to in subsection (2) or an officer who purports to act in such a capacity, if it is proved that –

- (a) the offence was committed with his direct consent or connivance; or*
- (b) he, with knowledge, did not exercise reasonable diligence to prevent the commission of the offence.*

Public bodies and persons/entities in receipt of public money, as defined in section 4 of the Act, should become familiar with the Act in its entirety.

Next up - Public Advisory #10

Moonilal Lalchan
Procurement Regulator

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