

PUBLIC PROCUREMENT LAW FOR ALL

To non-specialist, public procurement procedures appear complicated and mystifying. To comply with such procedures appear complex. Amidst the intricacy of developing procurement notices, tender documents, procurement methods etc, one gets lost and says, “This business of telling us what to do is tying our hands. Who doesn’t know that to buy a tablet of soap one goes to a grocer, produces the money and gets it? Why should this process be that complicated?”

And another would say, “After all, we don’t have control over how government money comes in and to whom it goes. In any case, the core business of this institution is not in the goods, works or services we procure. I better be mindful of the actual output expected of me from my job description....”

While it could be true that others are specifically trained and recruited to handle procurement, non-specialist should also have an interest in the way public procurement is done. Such an interest can be activated first by knowing the acceptable systems and procedures of public procurement as contained in the Public Procurement Act, Public Procurement Regulations, Standard Bidding Documents, Desk Instructions and other provisions. This would help to provide checks and balances when there are mis-procurements.

Should a non-specialist, therefore, get appointed to sit in the Internal Procurement Committee (IPC), he/she would be able to make constructive contributions based on his/her understanding. It is therefore every public officer’s right to access and understand the procurement law and other related regulations to become part of the conscious workforce. Most mis-procurements happening in procuring entities could be avoided if every body took their rightful role as well-informed watchdogs.

Public procurement as the name suggests, is done using public resources. It should therefore interest every taxpayer and citizen of Malawi to appreciate how public procurement is done. This would help in the provision of the necessary knowledge-based checks and balances so that the resources are committed to the activities that are primary on the agenda of the central government and the decentralised institutions.