

PART VII - INVESTIGATION, DEBARMENT AND DISPOSAL

Limitation of investigator's powers. **89.** An investigator appointed pursuant to section 102 of the Act shall not, in the course of investigation, advise a procuring entity on any matter relating to a procurement proceeding.

Other grounds for debarment. **90.** For the purposes of section 115 (2) of the Act, the Director – General, with the approval of the Advisory Board, may debar a person from participating in procurement proceedings on the ground that that person has breached a code of ethics issued by the Authority pursuant to section 139 of the Act.

Debarment. **91.** Where a person is debarred from participating in procurement proceedings under section 115 of the Act, the debarment extends to any firm in which the debarred person has a controlling interest.

Disposal committee. **92.** (1) A procuring entity shall, for the purposes of section 128 of the Act, establish a disposal committee comprising of at least five members as follows-:

- (a) the officer in charge of finance;
- (b) the head of the procurement unit who shall be the Secretary;
- (c) the head of the accounting department; and
- (d) two heads of end user departments, of whom one shall be the head of the end-user department disposing of the stores or equipment.

(2) The disposal committee shall select a chairperson from amongst its members.

(3) The disposal committee shall pursuant to section 128(2) of the Act, first meet within fourteen days of its appointment and subsequently at least once in every quarter.

(4) The accounting officer shall, pursuant to section 129(4) of the Act, give the disposal committee a written notice as to whether he accepts or rejects the recommendations of the disposal committee within fourteen days of receipt of the recommendations.

Disposal
employees.

to

93. (1) A procuring entity may, pursuant to section 131 of the Act, dispose its unserviceable, obsolete or surplus stores and equipment to an employee of the public entity or a member of a board or committee of the public entity where-

(a)the time and cost required to dispose to any other person would be disproportionate to the value of the unserviceable, obsolete or surplus stores and equipment to be disposed;

(b)the employee is in possession of the stores or equipment to be disposed and may be given the first priority to purchase the same.

(2) Every disposal made by a procuring entity under paragraph (1) shall be reported by the accounting officer or head of the procuring entity to the Authority within fourteen days of the disposal.

