

## SEMINAR NOTICE



THE KENYA SCHOOL OF LAW

# EFFECTIVE PUBLIC PROCUREMENT: DOCUMENTATION, APPEALS AND RECENT DEVELOPMENTS

(ACCREDITED BY LSK FOR 3 CPD POINTS)

**THEME:** *“In pursuit of a winning strategy in public procurement in Kenya”*  
**DATE:** 28<sup>th</sup> November – 2<sup>nd</sup> December, 2022  
**VENUE:** NAKURU

### COURSE OVERVIEW

The Public Procurement and Asset Disposal Act, 2015 came into effect on January, 7<sup>th</sup> 2016. In order to fully operationalize the Act, the National Treasury issued the Public Procurement and Asset Disposal Regulations, 2020 in 2<sup>nd</sup> July 2020. The Act gives effect to Article 227 of the Constitution which provides that public procurement should be conducted in a system that is fair, equitable, transparent, competitive and cost-effective.

Sections 9(1)(f), 58 and 70 of the Act vests the responsibility of developing and issuing of standard bid/tender documents and formats to Public Procurement Regulatory Authority. To this end, the Authority has reviewed, updated and developed new Standard Tender Documents and Formats while incorporating changes in the Act, the Regulations and international best practices.

Despite all the measures, the Auditor General’s audit reports frequently mention cases of noncompliance with the procurement laws and procedures. In addition to that, several issues around public procurement have also been reported by the media with those being accused facing major repercussions. This course therefore aims to provide participants with an overview of the applicable legal system related to contracting for the procurement of goods and services. To allow them to create contracts that are legally binding, identifying key legal risks and highlighting when specialist advice is needed.

The specific **FOCUS AREAS** shall include;

- Legal and regulatory framework of public procurement;
- Overview of the Standard Tender documents
- A review of common risk areas in procurement documentation /contracting.
- Judicial interpretation of various procurement disputes;

## LEARNING OUTCOMES

By the end of the training participants will add value to their organization by being able to:

- **Understand** the basic concepts of good procurement practices
- **Adopt** the appropriate standard procurement documents within their institutions
- **Explain** how terms are incorporated in the contract and interpreted by the courts to ensure their organizations interests are protected
- **Identify** key legislation which shapes contracting behaviour
- **Evaluate** applicable remedies in the event of a dispute

The seminar is recommended specially for: In-house counsel, advocates, and procurement professionals, accounting officers, internal auditors, external auditors and compliance managers.

**YOUR INVESTMENT: Ksh. 95,000 inclusive** of VAT and registration fee (covers *tuition fees, course materials, stationery, lunch and refreshments*)

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### Application Process

Applicants are encouraged to register online at <https://services.ksl.ac.ke/web/signup> or download forms at: [http://www.ksl.ac.ke/wp-content/uploads/2018/04/CPD\\_REGISTRATION\\_FORM\\_.pdf](http://www.ksl.ac.ke/wp-content/uploads/2018/04/CPD_REGISTRATION_FORM_.pdf)

Fees should be deposited in the **Kenya School of Law (Account No. 202 2029 110 ABSA Bank of Kenya, Absa Plaza Branch, Nairobi, Kenya)** and banking slips or evidence of electronic funds transfer presented to the Finance office.

Please note that we would wish to have your **duly completed application form and proof of payment (or confirmation of participation)** by **22 /11/2022** to enable us to adequately prepare for the course. For more information, please contact Course Coordinator: **Mr. Kefa Simiyu, Mr. Isaac Kuloba (Assistant Director, CPD), Christine or Jacqueline** on:

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For DIRECTOR/ CHIEF EXECUTIVE OFFICER



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