

SEMINAR NOTICE



THE KENYA SCHOOL OF LAW

PUBLIC PROCUREMENT LAW AND REGULATION: UNDERSTANDING RECENT CHANGES

DATE: 31 AUG-4 SEPT, 2020

VENUE: KENYA SCHOOL OF LAW, KAREN

SAFETY AND HEALTH OF THE PARTICIPANTS

Cognizant of the risk posed by the Covid-19 pandemic, the School has taken all measures to comply with the Government directives on the handling of the pandemic, including keeping of social distance, wearing masks, sanitizing and washing hands, temperature checks, amongst others. We assure our participants of their safety and health during the training.

ABOUT THE COURSE

The public procurement regulation in Kenya has undergone tremendous changes especially in the last 7 years. The changes have involved both legal and policy shifts, including enshrining public procurement issue into the Constitution of Kenya 2010.

From the era of “no regulation” spanning the period from pre-independence days to the year 2001, the public procurement regime has been transformed incrementally through the law, climaxing in its recognition in the Constitution of Kenya 2010. The year 2005 saw a major leap-forward in procurement by the enactment of the Public Procurement and Disposal Act followed by the gazzement of the Public Procurement and Disposal Regulations in 2006. Article 227 of the Constitution sets the policy and tenor of public procurement regulation by declaring boldly the policy guidelines and the objectives to be attained through public procurement, which accounts for about 20-30% of the gross domestic product (GDP).

In accordance with the *Sixth Schedule* of the Constitution of Kenya 2010, Parliament enacted the Public Procurement and Asset Disposal Act, No. 33 of 2015 to align the procurement function to the Constitution and Government policies. The new law was assented to on 18th December, 2015 and took effect on 7th January

2016. The Public Procurement and Asset Disposal Regulations 2020 were gazetted on April 2020.

PUBLIC PROCUREMENT LAW AND REGULATION: UNDERSTANDING RECENT CHANGES is a **5-day** course conceptualized and developed by the Kenya School of Law in response to unmet needs in the public procurement sub-sector. The goal of the course is empower the participants by appreciating the legal and regulatory framework, the crucial changes introduced through legislation, the subsidiary instrument and policy guidelines, as well as scrutinise the Constitutional imperatives in public procurement matters, thus equipping the participant with the requisite skills to handle procurement function and activities in their respective institutions. The course is suitable for procurement managers, procurement officers, procurement clerks, members & other committees, of evaluation committees, corporation secretaries, legal officers, contractors and suppliers, procurement practitioners and legal practitioners.

TRAINING FOCUS

Highlights of the course will be an interactive concrete discussions of:

- Public procurement policy and its impact on public procurement practice;
- Overview of the legal and regulatory framework of public procurement;
- Procurement cycle: procurement strategy & planning;
- Compliance & ethical issues;
- Key procurement legal risks
- Judicial interpretation of various procurement disputes;
- Undertaking procurement audit;
- Learning from the past: challenges in implementing the law and policies.

At the end of the course the participants will be equipped to competently-

- a) **Explain** the policy imperatives of public procurement;
- b) **Apply** procurement rules to actual practice within the dynamic legal framework;
- c) **Apply** the requirements under the new Act and the Regulations;
- d) **Develop and amend** internal procurement policies to align them with the changed legal and policy framework;
- e) **Carry** out procurement audit;
- f) **Manage** procurement risks;
- g) **Help** their respective accounting officers in effecting compliance with procurement law and guidelines by their institutions.

YOUR INVESTMENT: Ksh. 57,500 inclusive (Non-East Africans pay USD 715) of VAT and registration fee (covers tuition fees, course materials, stationery, lunch and refreshments).

Application Process

Application form may be obtained from the Kenya School of Law CPD Department at Karen or be downloaded from our website http://www.ksl.ac.ke/wp-content/uploads/2018/04/CPD_REGISTRATION_FORM.pdf Money should be deposited in the **School's account: (Account No. 202 2029 110 Barclays Bank of Kenya, Barclays 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) one week before the commencement** of the course to enable us to adequately prepare for the course. For any queries, contact Course Coordinator Mr Isaac Kuloba on ikuloba@ksl.ac.ke, or Jacqueline jacqueline@ksl.ac.ke; Christine cmwanza@ksl.ac.ke



Isaac S. Kuloba

FOR DIRECTOR/ CHIEF EXECUTIVE OFFICER



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