

A BILL

FOR

AN ACT TO AMEND THE PUBLIC PROCUREMENT ACT 2007 AND FOR RELATED MATTERS

Sponsored by Hon. Oluwole Oke

[] Commencement

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows-

1 1. The Public Procurement Act (in this Act referred to as "the
2 Principal Act") is amended as set out in this Act.

3 2. The Section 1 (2) of the Principal Act is amended by inserting a
4 new section 1 (2) (al) with the following words - "The President of the
5 Federal Republic of Nigeria as Chairman" and amending section 1 (2) (a) by
6 deleting the words "as Chairman."

Amendment of
Public Procurement
Act 2007

7 3. The Section 1 (2) (f) of the Principal Act is amended by
8 inserting section 1 (2) (f) (vii) with the following words "vii. The Nigerian
9 Institute of Quantity Surveyors;"

Amendment of
the schedule

10 4. The Section 1(4) of the Principal Act is amended by deleting
11 "The Chairman and other members of the Council shall be appointed by the
12 President" and inserting the following words "Other members of the
13 Council shall be appointed by the President."

14 5. The Section 7(1) of the Principal Act is amended by deleting
15 "There shall be for the Bureau, a Director-General who shall be appointed
16 by the President, on the recommendation of the Council after competitive
17 selections" and inserting the following "There shall be for the Bureau, a
18 Director-General who shall be appointed by the President, on the
19 recommendation of the Council after competitive selections and
20 confirmation by the National Assembly".

21 6. The Section 15(2) of the Principal Act is amended by deleting-

1 "(2) The provisions of this Act shall not apply to the procurement of
2 special goods; works and services involving national defense or national
3 security unless the President's express approval has been first sought and
4 obtained" and inserting a new Section 15(2) with the following words
5 "Procurements involving national security or national defense shall be
6 conducted in line with the provisions of this Act but its supervision shall be
7 handled by a Special Committee appointed by the Council and the Council
8 shall be entitled to grant waiver or exemption from the application of specific
9 provisions of this Act" and inserting a new section 15(2a) with the following
10 words: "The Council shall be entitled to issue special Guidelines and
11 Regulations applicable to Defence Procurement".

Short Title

12 7. This Bill may be cited as the Public Procurement (Amendment)
13 Bill, 2016.

EXPLANATORY NOTE

*(This note does not form part of the above Act but, it is intended
to explain its purport)*

This Bill seeks to amend the Public Procurement Act, 2007 by adding a new member to the Council, amending the procedure for appointing the Director-General of the Bureau and fully extending the application of the Act to Defence Procurement.