

THE PUBLIC PROCUREMENT AND DISPOSAL OF PUBLIC
PROPERTY (MISCELLANEOUS) REGULATIONS, 2021

Arrangement of Regulations

Regulation

1. Citation
2. Citation
3. Committee members
4. Criteria for membership of a committee
5. Undertaking by a committee member
6. Fee for information provided
7. Offence and penalty

LEGAL NOTICE NO. 28

REPUBLIC OF TRINIDAD AND TOBAGO

THE PUBLIC PROCUREMENT AND DISPOSAL OF
PUBLIC PROPERTY ACT, 2015

REGULATIONS

MADE BY THE MINISTER, ON THE RECOMMENDATION OF THE OFFICE OF
PROCUREMENT REGULATION, UNDER SECTION 63 OF THE PUBLIC
PROCUREMENT AND DISPOSAL OF PUBLIC PROPERTY ACT AND
SUBJECT TO AFFIRMATIVE RESOLUTION OF PARLIAMENT

THE PUBLIC PROCUREMENT AND DISPOSAL OF PUBLIC
PROPERTY (MISCELLANEOUS) REGULATIONS, 2021

1. These Regulations may be cited as the Public Procurement and Disposal of Public Property (Miscellaneous) Regulations, 2021. Citation

2. In these Regulations— Citation

“the Board” means the Board appointed under section 10(1) of the Public Procurement and Disposal of Public Property Act, 2015.

3. (1) The Office may invite suitably qualified and experienced individuals to serve on a committee. Committee members

(2) An invitation issued pursuant to sub-regulation (1) shall be published in at least one newspaper, with daily circulation in Trinidad and Tobago, and on its website.

(3) A member of a committee shall have appropriate academic qualifications and practical experience in the area in respect of which the committee is appointed, in order to provide effective support and relevant advice to the committee.

(4) A committee shall comprise a membership of no less than three members including the chairperson and, in any event, a committee shall comprise an uneven number of members.

4. (1) A member of a committee shall— Criteria for membership of a committee

(a) ensure that he performs his function in an effective and efficient manner;

(b) be fair and impartial in exercising his function;

(c) afford no undue preferential treatment to any person; and

(d) arrange his private interest, whether pecuniary or otherwise, in order to maintain public confidence and trust in his integrity.

- (2) A member of a committee shall not—
- (a) use his appointment for the improper advancement of his personal or financial interest or the interest of another person;
 - (b) use public property or services for an activity not related to his function;
 - (c) use his appointment for private gain.

(3) A member of a committee shall not use information which he gains in the performance of his functions, and which is not available to the general public, to further or seek to further his private interest.

(4) A member of a committee shall not use his appointment to influence or seek to influence a decision to further his private interest.

(5) A member of a committee shall not accept a fee, gift or personal benefit, except compensation authorized by law, that is connected directly or indirectly with the performance of his functions.

(6) A member of a committee shall keep matters of a confidential nature confidential, unless the disclosure of the matter is required by law in the performance of his duties.

(7) Sub-regulation (6) applies to a member of the committee where he is no longer a member of the committee.

(8) A member of the committee shall disclose a possible or perceived conflict of interest in accordance with the procedure set out in the Handbook and Guidelines and recuse himself from a decision which involves or is affected by the possible or perceived interest.

(9) The Board shall determine the remuneration for a committee member.

Undertaking
by a committee
member

5. A person who is appointed as a member of a committee shall, upon his appointment, provide the Office with a formal undertaking of his commitment, punctuality and attendance for the effective performance of his functions.

Fee for
information
provided

6. Where a person requests information from a procuring entity in a printed format, the procuring entity may provide the printed information, including information referred to in section 27(1)(a), at the fee which represents the costs of printing and dispatching the information.

7. A person who contravenes these Regulations commits an Offence and offence and is liable on conviction to a fine not exceeding one million penalty dollars and imprisonment for five years.

Dated this 13th day of December, 2021

C. IMBERT
Minister of Finance

Approved by the Senate this 8th day of February, 2022.

K. MOTTLEY
Acting Clerk of the Senate

Approved by the House of Representatives this 14th day of January, 2022.

B. CAESAR
Acting Clerk of the House