

Office of the Public Protector

Public Procurement Law Training 2017

Programme Outline

14-18 August 2017

Day 1

Theme: Introduction to public procurement law and overview of the state of the law in South Africa

Presenter: Prof Geo Quinot

Outcomes:

To develop an appreciation for:

- The notion of public procurement law;
- The distinction between public procurement law and other fields impacting on public procurement;
- The general legal framework in South Africa in terms of which public procurement law exists;
- The main statutory instruments governing public procurement in South Africa:
 - Public Finance Management Act 1 of 1999 & regulations
 - Local Government: Municipal Finance Management Act 56 of 2003 & regulations
 - Preferential Procurement Policy Framework Act 5 of 2000 & regulations
 - Construction Industry Development Board Act 38 of 2000 & regulations
 - National Land Transport Act 5 of 2009 & regulations
 - State Information Technology Agency Act 88 of 1998 & regulations
- The scope of public procurement law in South Africa:
 - What type of transactions are covered
 - Which institutions are covered
 - What stages of procurement are covered

Day 2

Theme: Procurement methods

Presenter: Prof Geo Quinot

Outcomes:

To develop an appreciation for:

- The different methods of procurement provided for in South African law;
- The main legal requirements for a valid public procurement within each of these procedures.

Day 3

Theme: Adjudication of public tenders

Presenter: Prof Geo Quinot

Outcomes:

To develop an appreciation for the particular legal requirements pertaining to the various stages of competitive bidding.

Day 4

Theme: Grievances and disputes in public procurement law

Presenter: Prof Sope Williams-Elegbe

Outcomes:

To develop an appreciation for:

- The different remedies provided for in South African law to enforce public procurement rules;
- The main mechanisms by means of which these remedies are implemented.

Day 5

Theme: Corruption in public procurement

Presenter: Prof Sope Williams-Elegbe

Outcomes:

To develop an appreciation for:

- the ways in which South African law responds to corruption in public procurement;
- the various legal mechanisms that exist in South African law to tackle corruption in public procurement specifically;
- typical forms of corruption in public procurement and how to identify their occurrence in particular contexts;
- considerations when recommending measures against procurement corruption.