

STATUTORY INSTRUMENTS SUPPLEMENT

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S T A T U T O R Y I N S T R U M E N T S

2023 No. 99.

**THE PUBLIC PROCUREMENT AND DISPOSAL OF PUBLIC ASSETS
(PROCUREMENT PLANNING) REGULATIONS, 2023.**

ARRANGEMENT OF REGULATIONS

Regulation

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7. Aggregating procurement requirements.

STATUTORY INSTRUMENTS

2023 No. 99.

The Public Procurement and Disposal of Public Assets (Procurement Planning) Regulations, 2023.

(Made under sections 96(1) and 96A of the Public Procurement and Disposal of Public Assets Act, 2003, Act No. 1 of 2003)

IN EXERCISE of the powers conferred upon the Minister responsible for finance by sections 96 (1) and 96 A of the Public Procurement and Disposal of Public Assets Act, 2003, in consultation with the Minister responsible for the Kampala Capital City Authority and the Minister responsible for local governments, and on the recommendation of the Authority, these Regulations are made, this 26th day of September, 2023.

1. Title and commencement.

(1) These Regulations may be cited as the Public Procurement and Disposal of Public Assets (Procurement Planning) Regulations, 2023.

(2) These Regulations shall come into force on the 5th day of February, 2024.

2. Procurement plans.

A procuring and disposing entity shall have an annual procurement plan for each financial year.

3. Multi-year procurement plan.

A procuring and disposing entity that is to undertake a procurement for a period of more than one financial year shall prepare a multi-year procurement plan for that procurement, using guidelines issued by the Authority.

4. Update of procurement plan.

The Procurement and Disposal Unit shall, where necessary, at any time during the financial year, update the procurement plan of the procuring and disposing entity.

5. Approval of procurement plan by Contracts Committee.

A procurement plan and any updates to it shall be submitted to the Contracts Committee for approval.

6. Contents of annual procurement plan.

The procurement plan of a procuring and disposing entity shall state—

- (a) the supplies, works, consultancy and non-consultancy services to be procured by the procuring and disposing entity and the cost of the supplies, works, consultancy and non-consultancy services, respectively;
- (b) the supplies, works, consultancy and non-consultancy services to be used in common by the procuring and disposing entity with another procuring and disposing entity;
- (c) the resources required for the procurement;
- (d) the recommended method of procurement for each contract package and the time estimated for each stage of procurement;
- (e) the type of contract recommended for each requirement; and
- (f) where applicable, the maintenance, operating and repair costs of each procurement.

7. Aggregating procurement requirements.

(1) A procuring and disposing entity shall aggregate the procurement requirements for—

- (a) the user departments of the procuring and disposing entity;
- (b) a financial year or for any other appropriate period of time; and

(c) any other circumstance, as may be appropriate.

(2) For purposes of sub regulation (1), a procuring and disposing entity shall—

- (a) determine the market structure for the required items;
- (b) aggregate the items which are of a similar nature and which are likely to attract the same potential bidders;
- (c) determine the optimum size and type of contract that attracts the greatest and most responsive competition or the best prices;
- (d) aggregate the items for which the method of procurement and bidding conditions are to be the same;
- (e) aggregate the items which are to be offered for bidding at the same time;
- (f) aggregate the items which are to be subject to the same conditions of contract;
- (g) determine the potential savings in time or transaction costs;
- (h) where applicable, determine the value of the contract which facilitates the application of a preference scheme or a reservation scheme; and
- (i) determine the optimum number and size of contracts which facilitate the management and administration of contracts by the procuring and disposing entity.

MATIA KASAIJA,
Minister of Finance, Planning and Economic Development.

