

FRAUD DETECTION AND ANTI-CORRUPTION IN PROCUREMENT-

**TOOLS AND PRACTICES FOR PREVENTING FRAUD
AND ENHANCING TRANSPERANCY IN PROCUREMENT**

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Background

The Public Procurement Act (PPA) of 2021 is the legal framework guiding the procurement system in Botswana, the aim of which is to:

- ✓ regulate Public Procurement in Botswana through establishment of structures and systems,
- ✓ promote the integrity, fairness and public confidence in the procurement process,

Background cont.

- ✓ make procuring entities fully accountable for all procurement activities,
- ✓ provide a framework of rules for procurement of works, services and supplies.

GUIDING PRINCIPLES

- ✓ An open and competitive economy
- ✓ Responding to external obligations relating to trade and procurement
- ✓ Empowerment of Citizens and Citizen Contractors
- ✓ Fair and equitable treatment of contractors
- ✓ Accountability and transparency
- ✓ Integrity, fairness and public confidence in the process
- ✓ Value for money and Lifecycle costing.

FUNCTIONS OF THE AUTHORITY (Sec 8)

Functions of the Authority include:

- ✓ Monitoring
- ✓ Compliance assessments
- ✓ Procurement Audits
- ✓ Review and reporting performance

FUNCTIONS OF THE AUTHORITY cont.

- ✓ conduct periodic inspections of the records and proceedings of a procuring entity to ensure compliance with this Act;
- ✓ institute periodically, in respect of any procurement –
 - (i) a procurement audit during a tender process,
 - (ii) a contract audit in the course of execution of an awarded tender,
 - (iii) a performance audit after the completion of a contract, and
 - (iv) an investigation at any stage of a procurement process.

FUNCTIONS OF THE AUTHORITY cont.

- ✓ undertake research and conduct surveys, nationally and internationally, on procurement matters.
- ✓ Capacity building for Procuring Entities, bidding community and general public

Transparency Enhancing Tools

- ✓ Publication of Procurement Plans
- ✓ Use of Open Bidding as default method
- ✓ use the Standardized Bidding Packages (SBPs) template
- ✓ Public tender opening
- ✓ Publication of award decisions, complaints and challenges dealt with
- ✓ Use of adhoc tender evaluation Committees
- ✓ Publication of registered contractors
- ✓ Use of Integrated Procurement Management (e-procurement and Contractor Registration)

Fraud Prevention Measures

- Code of Conduct for Procurement Professionals.
- Code of Conduct for Contractors
- Disclosure of interest
- Corruption Prevention Committees across all Government Departments.
- Oversight Agencies (PPRA, PPT, DCEC, DIS, BURS, BPS, Auditor General's Offices, CCA, Ethics and Integrity Directorate (EID)).
- Other agencies (Botswana Centre for Public Integrity (BCPI))

Challenges

- ✓ Resistance to change such as Implementation of the new Act
- ✓ Non-compliance
- ✓ poor reporting
- ✓ Lack of procurement skills
- ✓ Professionalization of Procurement cadre not yet in place.
- ✓ Limited human and financial resources to implement the PPA.
- ✓ PE Structures not yet issued.
- ✓ Delayed re-engineering of the eProcurement

Thank you

QUESTIONS AND DISCUSSIONS