



ANAMBRA STATE OF NIGERIA
2020, NO.

A Law to amend the Anambra State Public Procurement Law, 2011.

The House of Assembly of Anambra State Enacts as follows:

Citation and Commencement.

1. This Law may be cited as the Anambra State Public Procurement (Amendment) Law, 2020, and shall come into force on the 28th day of May, 2020.

Interpretation.

2. In this Law:
"principal law" means the Anambra State Public Procurement Law, 2011.

Amendment of Section 3 of A.S.N.L. No. 7 of 2011.

3. Section 3 of the Principal Law, is hereby amended:
(A) In its Section 3(2) by deleting and substituting with a new subsection 3(2) as follows:

"3(2) The Council shall consist of:

- (a) a chairperson, who shall be a retired Judge of a superior court of record or a retired public servant who shall have served at a level no less than that of a Permanent Secretary or Director-General or a position of coordinate status in the State or Federal Public Service, and who must be a person of integrity, not previously indicted by any Administrative Panel or in any criminal proceedings or convicted for any criminal offence.
- (b) the Secretary to the State Government;
- (c) the Commissioner for Finance;
- (d) the Head of Service;
- (e) the Attorney General and Commissioner for Justice;
- (f) the Commissioner for Economic Planning and Budget;
- (g) a representative of the Local Governments in the State;

- (h) three part time members to represent:
 - (i) the Nigerian Institute of Quantity Surveyors in the State;
 - (ii) the Nigerian Society of Engineers, Anambra State Chapter; and
 - (iii) the Civil Society organizations in the State;
- (i) the General Manager of the Bureau who shall be the Secretary of the Council".
- (B) In its Section 3(4) by deleting and substituting with a new subsection 3(4) as follows:

"3(4) The Chairperson and the three part time members of the Council listed under subsection 3(2) of this Section shall be appointed by the Governor".
- (C) In its Section 3(5) by deleting and substituting with a new subsection 3(5) as follows:

"3(5) The Chairperson and representatives of the groups listed under sub-section 3(2)(g) shall be appointed for a four year term of office, which may be renewed for another four years, and thereafter no more".
- (D) To add a new subsection 3(6) as follows:

"3(6) The Chairperson and or a member of the Council shall vacate his/her seat if:

 - (a) he resigns in writing with a letter addressed to the Governor or the Chairperson of the Council;
 - (b) he is convicted for any crime involving dishonesty or fraud by a court of competent jurisdiction within and /or outside Nigeria;
 - (c) he is found guilty of misconduct by an appropriate body or is barred from practising his profession by any professional body he belongs to;
 - (d) he becomes bankrupt;
 - (e) he becomes of unsound mind and or by reason of ill health incapable of carrying out his duties;
 - (f) he vacates the office by reason of which he is a member of Council;
 - (g) he is removed by the Governor on grounds of misconduct, if supported by two-thirds majority vote of the State House of Assembly".

(E) To add a new subsection 3(7) as follows:

"3(7) All members of the Council other than the General-Manager of the Bureau shall serve on a part-time basis".

Establishment of E-procurement System

4. Section 41 of the Principal Law is hereby amended by insertion of a new Section 41 and the re-numbering of the other Sections accordingly. The new Section reads, as follows:

"41(1) Notwithstanding any other provision of this Law, the Council may at any time authorize the Bureau to design and set up a secure electronic portal to be known as the Anambra State Government Electronic Procurement System, otherwise known as the Anambra e-procurement system which shall be an integrated platform for all State and local governments public procurement activities within the purview of this Law and regulations issued pursuant to it.

(2) Subject to the approval of the Council, the Bureau shall issue guidelines for the deployment of this e-procurement system by procuring entities and or local governments in the State in the implementation of their procurement activities.

(3) The e-procurement system shall be designed to ensure the attainment of the objectives of this Law; especially to ensure transparency, accountability, efficiency, competitiveness, and value for money in all procurement and disposal activities".

EXPLANATORY NOTE

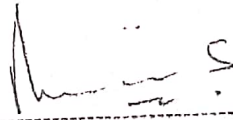
(This note does not form part of the Law but is intended to explain it)

This Law authorizes the amendment of the composition of the Public Procurement Council and the establishment of the Anambra State Electronic Procurement Platform for all public Procurement matters for the State and Local Governments.

FIRST SCHEDULE

(Section 3)

This printed impression has been carefully compared by me with the Bill which has been passed by the House of Assembly and found by me to be a true and correctly printed copy of the said Bill.



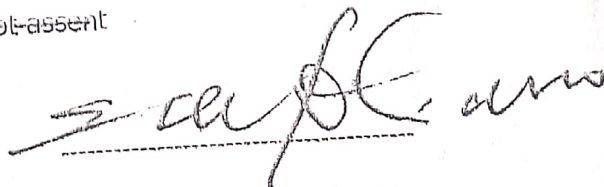
PIUS O. UDOH

Clerk of the Legislature

SECOND SCHEDULE

(Section 4 (1))

I assent/~~do not assent~~



CHIEF WILLIE OBIANO

Governor

Dated the 29th day of May, 2020.