



Government of the Republic of Trinidad and Tobago
MINISTRY OF FINANCE

For immediate release

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MEDIA RELEASE

**MISLEADING AND UNINFORMED DAILY EXPRESS EDITORIAL ON
THE PUBLIC PROCUREMENT ACT**

The Honourable Colm Imbert, Minister of Finance, has taken note of an uninformed and misdirected editorial in today's (January 14th, 2019) Daily Express Newspaper which claims that having received draft regulations from the Procurement Regulator just over a month ago, all that was required to give effect to these regulations, was for the Minister to take them to Parliament, and that having acknowledged receipt of the Regulations on November 30, 2018, the Minister has not moved them along.

This pronouncement on the part of the Express portrays a complete misunderstanding of the provisions of the Public Procurement and Disposal of Public Property Act and the role and function of the Minister under the Act.

Section 63 of the Act makes it clear that the Public Procurement Regulations are made by the Minister on the recommendation of the Office of Procurement Regulation. In this context, the Minister is not a rubber stamp or a post office box, as the Express apparently believes.

In making regulations under any legislation, a Minister is required to ensure that these regulations are lawful and are consistent with the intent and purpose of the parent legislation and the public interest. If a Minister were to do otherwise, he or she would be in breach of his oath of office.

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It is therefore ridiculous for the Express to expect that having received the draft regulations from the Procurement Regulator just over a month ago that the Minister of Finance would close his eyes, not review the regulations, and blindly submit them to Parliament without seeking advice on the merits, purport and effect of these very important regulations.

The Public Procurement Regulations when enacted into law will have a profound impact on the manner in which the Government acquires goods and services in Trinidad and Tobago, and on the Government's development programme, and on the ability of members of the public, interested parties and aggrieved contractors to seek review of public procurement exercises through the Office of Public Procurement.

The Regulations are therefore not a trivial matter and must be subjected to thorough and rational examination by the Ministry of Finance.

Coincidentally, long before today's Express Editorial was written, and long before the equally misleading Sunday Express article which led to the editorial, was published, the Ministry of Finance had arranged a meeting during this week with the Procurement Regulator to discuss the status of preparedness of government departments and the Office of Procurement Regulation to implement the Public Procurement Act. This meeting is in keeping with the statement made by the Minister of Finance in the 2019 Budget that barring unforeseen circumstances, the Public Procurement and Disposal of Public Property Act could be in place in the first quarter of calendar 2019.

This publicly announced timeline of the first quarter of 2019 for implementation of the Act is still on track.

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The Hon. Colm Imbert, M.P.
Minister of Finance