



REPUBLIC OF NAURU

PARLIAMENTARY SERVICES (PROCUREMENT) FINANCE RULES 2021

SL No. 20 of 2021

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The Speaker and Minister for Finance make the following Rules under Section 39 (14) of the *Parliamentary Services Act 2020*:

PART 1 - PRELIMINARY

1 Citation

These Rules may be cited as the *Parliamentary Services (Procurement) Finance Rules 2021*.

2 Commencement

These Rules comes into effect on 1 July 2021.

3 Application of Rules

These Rules apply to all goods, services or works procured by the Office.

4 Interpretation

In these Rules:

'Clerk' means the Clerk of Parliament;

'Financial Instruction' means the Financial Instructions made by the Clerk under Rule 4 of the *Parliamentary Services (Financial Instructions) Finance Rules 2021*;

'Funds' means the Funds of the Office as provided under Section 39 of the Act;

'goods' means object or property of any kind and description and includes raw materials and inventories, products, equipment and plant;

'Office' means the Office of the Parliamentary Services;

'procurement agent' means an agent engaged by the Clerk under Rule 6;

'procurement operations' of the Office means:

- (a) the procurement of goods, services or works required by the Office for its operations;
- (b) the management of goods of the Office include the care, custody, storage, inspection, stocktaking or distribution of goods of the Office; or
- (c) the management of the Office contract for service;

'services' means the rendering of a contractor, supplier or consultant and any other form of procurement apart from goods or works; and

'works' means all works associated with construction, reconstruction, demolition, repair or renovation of buildings, structure or works such as preparation, excavation, erection, building, installation of equipment or materials, decorating and finishing, as well as services incidental to construction and similar services provided as part of the procurement of a contract.

5 Objective

- (1) The objective of these Rules is to ensure the Office priorities and objectives of the system of procurement which is directed towards:
 - (a) obtaining value in the expenditure of the Funds;
 - (b) providing for ethical and fair treatment of participants; and
 - (c) ensuring probity, accountability and transparency in procurement operations.
- (2) For the purpose of these Rules, the Clerk shall from time to time issue the conduct of procurement operations of the Office in the Financial Instructions.

PART 2 – PROCUREMENT

6 Procurement agent

- (1) The Clerk may engage a procurement agent to carry out procurement operations on behalf of the Office.
- (2) The procurement agent shall be selected following a competitive tendering process conducted by:
 - (a) the Clerk;
 - (b) the person appointed to manage the Finance for the Office; and
 - (c) one other person who is not an employee of the Office appointed by the Speaker.
- (3) The procurement agent shall be independent of the Office.
- (4) A person selected to be a procurement agent after a competitive tendering process required under sub rule (2) may be engaged for a period of not more than 5 years.
- (5) A person may be engaged as a procurement agent for a further period or period not exceeding 5 years without a competitive tendering process, if the Clerk is satisfied that the procurement agent has met the performance criteria specified in the procurement agent's contract for the previous period of engagement and the Speaker approves the engagement of the procurement agent.
- (6) The procurement agent's contract of engagement shall:
 - (a) require procurement operations to be conducted in accordance with these Rules and the Financial Instructions;
 - (b) set out standard terms under which the procurement agent will conduct procurement operations on behalf of the Office;