

**Working Group on Procurement
led by the
Commission for Standards in Public Life**

Background:

The procurement process operated by the Cayman Islands Government is set out in Part IX of the Financial Regulations (2010 Revision) under the Public Management and Finance Law and the guidance documents (Pre-qualification and Open Tender Process) issued by the Central Tenders Committee. It is noted that these regulations and policies apply to all public authorities. In addition, in the past two years various reports have been written on the procurement process in the Cayman Islands such as the Keith Luck Report of April 2011; two reports issued by the Office of the Auditor General in July and August 2011; and the Third Report of the Commission for Standards in Public Life (“the CSPL”).

The Honourable Deputy Governor presented a note to Cabinet on 24 April, 2012 entitled *A Review of Government’s System of Procurement* in which he informed the Honourable Ministers and Members of Cabinet that a Working Group would be established to develop a new framework for procurement and would be chaired by the Chairman for the CSPL.

Membership:

Members of the Working Group will include:

- Chairman of Commission for Standards in Public Life – Karin Thompson (Chairman);
- Ministry of Finance – Michael Nixon;
- Deputy Governor’s Office – Peter Gough;
- Attorney General’s Office – Reshma Sharma;
- Cabinet Office – Tim Hubbell;
- Central Tenders Committee Chairman – Nick Freeland;
- Chief Officer/Deputy Chief Officer – Alan Jones;
- members from the CSPL – Nyda Mae Flatley and Hedley Robinson;
- any other person nominated by the Chairman – Max Jones (PWD) and Tom Van Zanten (Water Authority); and
- Auditor General – Alastair Swarbrick (acting as an advisor).

Terms of Reference:

- Define the term “procurement”;
- Conduct a review of the existing frameworks and various mechanisms for procurement (including the entities and stakeholders involved, the existing laws and regulations, the policies and practices in place, the fairness and transparency of the process, whether value for money is being obtained, the information systems that support the process) and provide an independent view to the Cayman Islands Government on the issues and problems that are identified;
- Develop the fundamental principles that should be used and Government’s overriding policy objectives on procurement; and
- Make recommendations for change that promotes good public sector procurement practice

Reporting:

The Working Group will be expected to provide a report with recommendations to Cabinet via the Deputy Governor by the end of September 2012.