

CENTRAL PROCUREMENT BOARD

Anti-Corruption Policy

1.0 Introduction

The Central Procurement Board (CPB) is an independent body established under the Public Procurement Act, 2006 as amended. The CPB is responsible for the approval of the award of major contracts by public bodies. In the exercise of its functions, the CPB shall act without fear or favour and shall not be subject to the direction or control of any other person or authority.

Amongst its functions the CPB shall, in respect of major contract, establish appropriate internal procedures for the operations of the Board and ensure compliance with them; vet bidding documents and notices submitted to it by public bodies; oversee the examination and evaluation of bids; and approve the award of the contract.

The Board shall strive to achieve the highest standards of transparency and equity in the execution of its duties, taking into account the evaluation criteria and methodology disclosed in the bidding documents; the qualification criteria and methodology disclosed in the bidding documents; equality of opportunity to all bidders; fairness of treatment to all parties; the need to obtain the best value for money in terms of price, quality and delivery, having regard to set specifications; and transparency of process and decisions.

The CPB recognises that corruption may occur in the organization. It is committed to maintain the highest level of integrity in the conduct of its affairs through the adoption of corruption prevention strategies in the organisation.

This anti-corruption policy sets out the full commitment of the CPB for the deterrence and detection of corruption and for adherence to a culture of integrity.

2.0 Vision

The vision of the CPB is to be the model for efficient and effective public procurement in Mauritius.

3.0 Mission

The mission is to ensure value for money in public procurement and timely acquisition through a fair and transparent process.

4.0 Values

In carrying out the CPB's mission, Board members and staff are guided by the Code of Ethics and the core values of the CPB which are impartiality, equality of treatment, integrity, transparency, equity and fairness and accountability.

5.0 Statement of Intent

The CPB will not tolerate corruption in the administration of its responsibilities. It expects the highest standards of integrity from its staff, and those who have dealings with the organization including stakeholders. It is committed to ensuring that the risks of corruption are considered and appropriate measures taken.

6.0 Policy Statement

The CPB is committed to promoting and adhering to the highest standards of probity, transparency and accountability in the operations and management of the organisation. Through this policy the organisation engages itself to fully and unequivocally adopt a zero-tolerance stance towards corruption and other malpractices and shall ensure compliance with the anti-corruption legislation. It is also committed to review regularly its Customer Charter and Code of Conduct for Board and staff.

7.0 Anti-corruption Commitment

The CPB has developed and signed the Anti-Corruption Policy and has thus committed itself to use all available means and resources at its disposal to combat corruption in all its forms at all times including the application of appropriate prevention and detection control measures.

For the purpose of ensuring sound implementation of this policy, the CPB will ensure that:

- Employees have sufficient knowledge concerning the anti-corruption policy and that it is applied to all undertakings.
- Adequate controls to counteract corruption are known and used within the organization.
- There are clear mechanism for reporting suspected cases of corruption.
- All our stakeholders are aware of the organization's anti-corruption policy.

The main objective of this anti-corruption policy is to strengthen and sustain an integrity culture within the organisation. This will be achieved through:

- Reviewing of processes to ensure broad participation and transparency.
- Regular evaluation of corruption risks, systems and procedures.
- Ensuring that anti corruption projects have clearly formulated goals, expected results as well as monitoring and follow-ups.
- Learning from experiences and continually improving organizational performance and the corporate image.

8.0 Scope and Applicability

This policy encompasses measures and practices of the CPB on preventing and combating corrupt, fraudulent, collusive or coercive practices in its activities and operations. This policy applies to management, employees as well as, consultants, suppliers, contractors, outside agencies doing business, and or any other parties having a business relationship with the organisation.

9.0 Definitions

For the purpose of this policy, an act of corruption is defined as per section 2 of the Prevention of Corruption Act as amended.

"act of corruption" -

- (a) means an act which constitutes a corruption offence; and
- (b) includes -
 - (i) any conduct whereby, in return for a gratification, a person does or neglects from doing an act in contravention of his public duties;
 - (ii) the offer, promise, soliciting or receipt of a gratification as an inducement or reward to a person to do or not to do any act, with a corrupt intention;
 - (iii) the abuse of a public or private office for private gain;
 - (iv) an agreement between 2 or more persons to act or refrain from acting in violation of a person's duties in the private or public sector for profit or gain;
 - (v) any conduct whereby a person accepts or obtains, or agrees to accept or attempts to obtain, from any person, for himself or for any other person, any gratification for inducing a public official, by corrupt or illegal means, or by the exercise of personal influence, to do or abstain from doing an act in the exercise of his duties to show favour or disfavour to any person.

All the corruption offences are described in sections 4 to 17 of the Prevention of Corruption Act 2002 as amended. These include bribery by public official, bribery of public official, taking gratification to screen an offender from punishment, public official using his office for gratification, traffic d'influence and conflict of interests.

10.0 Responsibilities for implementing the policy

The responsibility to develop and coordinate the implementation of the policy shall rest upon the Anti-Corruption Committee(ACC) established for the purpose. The ACC shall set priorities,

provide advice when ethical issues arise and communicate the policy to all levels of management and staff.

The Anti-Corruption Committee - The committee shall comprise of members from both operational and support departments of the institution.

The person identified by the organisation shall lead the project and chair all meetings. The ACC shall be responsible for coordinating and implementing the anti-corruption policy. It shall develop a time-bound programme with clear and precise deliverables and related budget and execute it once approved by top management. The organisation shall designate an officer to act as Secretary to the Committee.

The committee shall meet on a regular basis, preferably every month or as decided by the Chairperson of the ACC. The Chair shall decide upon the setting up of sub-committees to assist the ACC in the implementation of any initiatives decided by the ACC.

Role of Management -It is the responsibility of Board and Management to promote the anti-corruption policy within their areas of operation, and are expected to actively deter, prevent and detect corruption by maintaining effective control systems and ensuring that their staff are familiar with the policy.

Role of Employees -Each employee shall read, be familiar with and strictly comply with the policy. The organisation shall ensure that each employee is provided with a copy of this policy or otherwise has on-line access.

Role of Internal Control - The Internal Control of the Ministry of Finance, Economic Planning and Development has the responsibility to ensure the effectiveness and adequacy of the Internal Control System in place. It should ensure that system is subject to regular audit to provide assurance that they are effective in countering corruption opportunities.

Role of Integrity Officer

The CPB has designated an integrity officer to drive anti-corruption initiatives and enhance the effectiveness and sustainability of the anti-corruption framework. The integrity officer shall be an integral part of the Anti-Corruption Committee (ACC) and shall play a crucial role in liaising and coordinating with management in reinforcing organisational integrity.

The responsibilities of the integrity officer would include, amongst others, to:

- a) Organise regular meetings with Heads of the Organisation to discuss or provide advice on integrity and ethics issues;
- b) Disseminate within the organisation, policies and regulations that is in line with the Code of Conduct of the CPB;
- c) Assist in the formulation of Integrity Awareness Programmes within the organisation; and
- d) Assist the heads of the organisation in the development of an overall Integrity Plan for the staff.

11.0 Risk Assessment

The CPB is conscious that the risk of corruption may occur in every sphere of its activities and may evolve in the light of changing circumstances and working environment. In its endeavour to proactively address risks of corruption, the CPB shall ensure that a proper risk management process is in place. Risk assessment should focus on a thorough analysis of the functional activities in close collaboration with officers involved in the process with a view to identifying potential or actual corruption risk areas. With respect to risk identified necessary corruption prevention measures including policies and procedures should be developed to address the risks. The responsibility to plan, coordinate and monitor the risk management process rests with the ACC.

12.0 Handling and reporting corruption

Duty to report acts of corruption offences

Section 44(1) of the Prevention of Corruption Act 2002 as amended which provides that “*where an officer of a public body suspects that an act of corruption has been committed within or in relation to that public body, he **shall** forthwith make a written report to the ICAC*” -

Referrals to the Commission

S 45 of the PoCA as amended – “*Notwithstanding sections 43 and 44, where in the exercise of his functions, the chief executive of a public body is of the opinion that an act of corruption may have occurred, he may refer the matter to the ICAC for investigation*”.

In relation to above, the organisation shall put in place measures that shall facilitate the reporting of suspected cases to the ICAC.

Confidentiality - Information pertaining to complaints shall not be disclosed.

13.0 Protection of whistleblowers

There will be no reprisal by management against “the public official” who in good faith reports an act of corruption or malpractice or suspected illegal and dishonest activity or any activity that he/she has witnessed. However, disciplinary actions may be taken against any person who knowingly had made false allegations.

14.0 Disciplinary measures

The CPB is committed to ensuring that this policy is duly implemented in the organisation. Disciplinary measures in accordance with established procedures will be taken against any staff who is found guilty of a breach of the provisions contained in this policy.

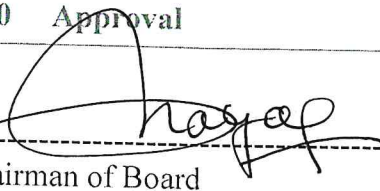
15.0 Training and Communications

The CPB recognises that the success and credibility of this policy depends on effective training, communications and the awareness of Board, Management and employees throughout the organisation. Management should ensure that the anti-corruption policy is clearly disseminated to all staff and that its contents are understood.

16.0 Review of policy

This policy will be reviewed annually or earlier if necessary or in the event of any changes in the laws and regulations that are relevant to the CPB. The Chairperson of the ACC should recommend the review to the Board or Chief Executive as applicable.

17.0 Approval



Chairman of Board

Date

08/10/2020



Chief Executive

Date

08/10/20