

S.I. 1971 No. 47

Financial Management and Audit

CAP. 5

FINANCIAL MANAGEMENT AND AUDIT (SUPPLIES) RULES, 1971

Authority : These Rules were made on 31st March, 1971, by the Cabinet under section 48 of the *Financial Management and Audit Act*.

Commencement: 1st April, 1971.

1. These Rules may be cited as the *Financial Management and Audit (Supplies) Rules, 1971*.

2. For the purposes of these Rules,

“bank” means a bank licensed or established under any Act for the time being in force in Barbados;

“supplies” means articles required for the public service;

“Tenders Committee” means the Committee established by rule 129 of the *Financial Management and Audit (Financial) Rules, 1971* (S.I. 1971 No. 46) .

3.(1) The Chief Supply Officer shall be the principal agent of the Government in purchasing of supplies which he shall pay for out of funds provided for the purpose.

(2) The Chief Supply Officer is hereby authorised on behalf of the Government to

- (a)* issue invitations to tender;
- (b)* accept tenders; and
- (c)* issue orders and enter into contracts,

for supplies.

(3) In the exercise of his powers under paragraph (2)(a) and (b), the Chief Supply Officer shall either

(a) comply with the provisions of Part XII of the *Financial Management and Audit (Financial) Rules, 1971* (S.I. 1971 No. 46) relating to tenders; or

(b) seek the approval of not less than 3 members of the Tenders Committee for any course of action which he proposes to take.

(4) The provisions of rule 126 of the *Financial Management and Audit (Financial) Rules, 1971* (S.I. 1971 No. 46) relating to the drawing up of a written agreement in the form approved by the Solicitor-General shall not apply where supplies are subject to warranty or guarantee or where supplies are to be received and examined for defects before payment is made.

(5) Whenever it becomes necessary for any supplies to be imported, the Chief Supply Officer shall obtain such supplies by ordering

(a) directly to overseas manufacturers or suppliers; or

(b) through other persons appointed by the Government to purchase supplies abroad.

[1998/157]

(6) Notwithstanding paragraph (5), the Chief Supply Officer may import supplies through local agents for overseas suppliers if it appears to be in the public interest to do so.

4. The Director may in writing authorise a public officer other than the Chief Supply Officer to purchase any particular supplies on behalf of the Government and such authorised officer shall comply with the provisions of Part XII of the *Financial Management and Audit (Financial) Rules, 1971* (S.I. 1971 No. 46) relating to the purchase of supplies.

[1985/103; 1998/157]

5. It is the duty of the Chief Supply Officer to manage the purchasing and storing of supplies so as to ensure, as far as practicable, that adequate supplies are available at reasonable cost when required for the public service.

6. The Chief Supply Officer shall prepare and maintain a list of approved suppliers for each item of supplies and shall restrict invitations to tender, as well as contracts for the purchase of supplies, to such approved suppliers.

7.(1) Any person may apply in writing to the Chief Supply Officer to have his name included on the list of approved suppliers and shall furnish such information as the Chief Supply Officer may require.

(2) The Chief Supply Officer shall inform each applicant in writing whether his application has been accepted or rejected.

(3) The Chief Supply Officer need not state his reasons for rejecting an application, but any person aggrieved by the rejection of his application to have his name entered on the list of approved suppliers may appeal to the Minister.

(4) All applications made under this rule and all information given in support of such application shall be treated as confidential.

8.(1) The Chief Supply Officer shall operate an account with a bank into which shall be paid

- (a) money provided for the purchase of supplies;
- (b) money by way of repayments made by ministries, departments or statutory bodies in respect of purchases made on their behalf; and
- (c) any other money which he may receive in the course of his official duties.

(2) There shall be paid out of the account amounts due in settlement for supplies purchased.

9. The Cabinet may impose service charges on purchases made by the Central Purchasing Department and such sums received shall be paid into the Consolidated Fund.

10. In respect of each financial year, and within a period of 3 months after the close of such financial year, the Chief Supply Officer shall submit a report to the Minister on the performance of the Central Purchasing Department and the report shall contain such information as the Director may direct.

[1985/103; 1998/157]