

CODE OF CONDUCT
FOR
PROCUREMENT OFFICERS



MINISTRY OF FINANCE
ROYAL GOVERNMENT OF
BHUTAN

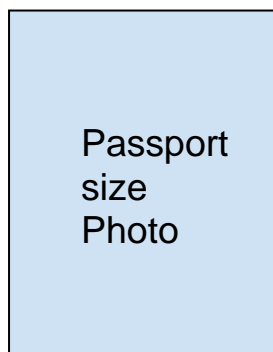
NOVEMBER, 2021



Letter of Undertaking

On this.....Day of..... month of year....., I.....have read and understood the contents of this booklet the “Code of Conduct for Procurement Officers” and agree to abide by the terms of responsibilities laid down therein.

Should I be found violating them at any time during my tenure as the Procurement Officer, I shall accept the actions taken by the laws of the nation.



Signature with Legal Stamp

Name:.....

CID No:.....

EID No:.....

INTRODUCTION

This code of conduct is adopted to make the procurement profession to uphold its profession with dignity and honour. Adherence to this code of conduct will promote cooperation, understanding and a sense of dedication and loyalty towards procurement professions.

This may provide concrete examples of situations that officials may face in the course of their work. It will also provide advice and guidance to procurement personnel. Many countries have codes of conduct that set general rules by which all procurement officers are to govern themselves. A code of conduct for procurement practitioners sets out values and clear guidance on expected behaviour. Clear and known rules of behaviour applicable to all will foster mutual respect and increase public confidence in procurement practitioners. It will place emphasis on the risks in different stages of the procurement cycle.

In all cases, a code of conduct must be an integral part of the procurement practitioner's contract and must be signed as proof that it has been read and agreed. A clear system of enforcement and sanctions in case of breach of these rules is also necessary to avoid gaps in implementation.

Code of Conduct for Procurement Officers

The code of conduct for Procurement Officials shall include:

1. Serving the public interest

Procurement officials are expected to maintain and strengthen the public's trust and confidence in public institutions, by demonstrating the highest standards of professional competence, efficiency and effectiveness, upholding the constitution and the laws. All procurement officers are responsible for ensuring that they comply with this Code and that they exemplify in all their actions and conduct.

2. Transparency and accountability

Procurement officials are expected to use powers and resources for the public good, in accordance with the law and government policy. They should be prepared to be accountable for the decisions they make and to justify their official decisions and actions to a relevant authority, as appropriate in the circumstances. Procurement officers must follow relevant laws of Bhutan including other regulations, rules, circulars or instructions applicable, when carrying out their responsibilities relating to public procurement.

3. Integrity.

Procurement officials are expected to make decisions and act without consideration of their private interests. Procurement officer must, in the performance of duty, observe, abide by and attain the following standards:

- a) conscientiously, honestly and loyalty serving the people, government and other public institutions;
- b) always act within the law;
- c) performing official duties with diligence and productivity in mind;
- d) highest standards of behaviour at work by:
 - i. Responding to the public promptly and compassionately;
 - ii. Treating superiors, colleagues and members of the public with dignity and respect.
- e) highest standards of moral principles, honesty and decency by:
 - i. acting responsibly, never seeking to use improper influence;
 - ii. abiding by guidelines in respect of offers of gifts or other benefits as stipulated in this code;
 - iii. avoiding conflict of interest and revealing any personal interest, if any, that may impinge or might reasonably be deemed by others to impinge on official business dealings with the private sector;
 - iv. not using or attempting to use official positions to secure unwarranted privileges or exemptions for oneself or others.
- f) Highest standards of ethical behaviour by:
 - i. not using the authority of office for personal gain;
 - ii. seeking to uphold and enhance the reputation of the Government, at home and abroad by;
 - iii. fostering the highest possible standards of competence;

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- iv. optimizing the use of resources in order to provide the maximum benefit to society
- g) Never using the authority or position amongst those for own financial gain.
- h) Procurement Personnel should encourage their organisation to adopt an ethical procurement and supply policy based on the principles and raise any matter of concern relating to business ethics at an appropriate level within their organisation.

4. Legitimacy.

Procurement officials are required to administer the laws and government policy, and to exercise legitimate administrative authority under delegation.

5. Fairness

Procurement officials should make official decisions and take action in a fair and equitable manner, without being affected by bias or personal prejudice, taking into account only the merits of the matter, and respecting the rights of affected citizens.

6. Responsiveness

As agents and employees of the elected government, procurement officials are required to serve the legitimate interests and needs of the government, public organisations, other civil servants, and citizens in a timely manner, with appropriate care, respect and courtesy.

7. Efficiency and effectiveness

Procurement officials are required to obtain best value in expenditure of public funds, and efficient use of assets deployed in or through public management, and to avoid waste and extravagance in the use of resources in public programmes and official activities.

8. Confidentiality and accuracy of information

Procurement officer must, in the performance of official duties, conduct themselves with the highest sense of probity by ensuring the following:

- a) do not release official information that comes into one's possession in the course of official duties, except as provided for by laws, regulations and written directives;
- b) respect the confidentiality of information received in the course of one's official duties and never use such information for personal gain;
- c) information given in the course of official duties shall be true and fair and not designed to mislead;
- d) give honest and impartial advice without fear or favour;
- e) do not engage oneself in loose talk and make unguarded statements;
- f) endeavour to pursue a course of conduct which will not raise suspicion among the public that you are likely to be engaged in acts that are in violation of the public trust

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- g) strive to ensure that the value of transparency in Government is upheld while respecting the need for confidentiality as required by law.

9. Competition

- a) Avoid any business arrangement that might prevent the effective operation of fair competition;
- b) Use the most competitive methods for procurement of goods, works and services;
- c) Do not discriminate nor practice favouritism against any person when performing one's official duties.

10. Business gifts and hospitality

- a) Do not accept business gifts from current or potential bidders or acceptance of any gift should be as per the gift rule mandated by Anti Corruption Commission (ACC).
- b) Refrain from any hospitality that might be viewed by others as - having an influence in making a procurement decision as a result of accepting that hospitality.

11. Illicit enrichment

- a) The solicitation, acceptance, offer or grant, directly or indirectly, by or to oneself, of any article of monetary value, or other benefit, such as a gift, favour, promise or advantage for oneself or for another person or entity, in exchange for any act or omission in the performance of official duties;
- b) The fraudulent use or concealment of property derived from any of the acts referred to in
- c) Participation in the commission or attempted commission of, or in any collaboration or conspiracy to commit, any of the unethical acts.

12. SMART

The procurement professionals are mandated to work in the offices with having principles in every work we do is specific ,measurable , Attainable, Reliable and Trusted enough(SMART) by the end users and also be guided by the principles of the procurement with utmost sincerely.

Conclusion

Overall, all the procurement personnel as a civil servant shall maintain and uphold the highest standard of, amongst others, integrity, honesty, fortitude, selflessness, loyalty, the right attitude, right aptitude, patriotism, professionalism and be apolitical in service of the Tsa-Wa-Sum.

Civil Service Values and Conduct shall form part of the terms of employment for all civil servants who shall read, understand and sign a commitment to the Civil Service Values and Conduct form as per BCSR chapter 3 clauses 3.2.2.