



No. 1/477/2023/Legal/PPRA
Government of Pakistan
Public Procurement Regulatory Authority




Islamabad, November 08, 2023

Subject: **FEEDBACK / COMMENTS ON DRAFT DISPOSAL OF PUBLIC ASSETS REGULATIONS, 2023**

I am directed to inform that the Authority is in process of formulating the "Disposal of Public Assets Regulations, 2023". In this regard, initial draft is prepared and the same is being forwarded to your office as **Annexure-I** for views / comments / feedback.

2. In view of the above, it is requested to provide the views / feedback / comments on the above mentioned document within fifteen (15) days of receipt of this letter. Moreover, in case of any query, contact with the following officers, please.

SR. NO.	NAME & DESIGNATION	CONTACT NO.
01.	Dr. Muhammad Aslam Waseem Director General (Legal)	051-9245982 0331-5211169
02.	Dr. Asim Jalil Abro Director (M&E)	051-9211879 0300-3012812


(Dr. Muhammad Aslam Waseem)
Director General (Legal)

All the Federal Secretaries / Head of Organizations

CC:

- i. Director MIS, with the request to upload the initial draft of Disposal of Public Assets Regulations, 2023 on PPRA website.
- ii. PS to MD (PPRA)

Statutory Notification (S.R.O)

Government of Pakistan
Cabinet Secretariat
(Cabinet Division)

NOTIFICATION

Islamabad the 2023

S.R.O No. _____. In exercise of power conferred by section 27 of Public Procurement Regulatory Authority Ordinance, 2002 (No XXII of 2002), the Public Procurement Regulatory Authority is please to make the following regulation, namely:-

1. Short title and Commencement.- (1) The regulations may be called “Disposal of Public Assets Regulations, 2023”.

(2). These regulations extend to the whole of Pakistan.

(3). They shall come into force at once.

GENERAL PROVISIONS

2. Definitions:--- (1) In these Regulation unless, there is anything repugnant in the subject or context:

(a) “**Disposal**” means the definition as prescribed in PPRA Ordinance, 2002.

(b) “**Authority**” means Public Procurement Regulatory Authority.

(c) “**e-advertisement**” means advertisement through EPADS portal;

(d) “**e-Auction**” means an online, real-time dynamic auction between a procuring agency and number of suppliers or buyers who compete against each other to win the contract by submitting successively lower priced tenders in case of reverse auction or submitting successively

higher tenders in case of forward auction, during a scheduled time period;

- (e) **“Electronic Reverse Auction”** means a scheduled online event in which prequalified bidders bid against each other through the presentation of new prices, revised downwards. It will be used for procurement of standardized products or services when the technical specifications or the requirements can be established with precision.
- (f) **“Reserved Price”** means the minimum amount of money that the goods or lots will be sold to the purchaser.

- (2) The expressions used but not defined in these Regulations shall have the same meanings as are assigned to them in the Public Procurement Regulatory Authority Ordinance, 2002 and the Public Procurement Rules 2004.

3. Scope.—These Regulations shall be applicable to all the procuring agencies whether within or outside Pakistan.

PLANNING FOR DISPOSAL OF PUBLIC ASSETS

4. Planning for disposal of public assets.-

- (1) All procuring agencies shall prepare an annual assets disposal plan for the items declared as unserviceable, surplus or obsolete, obsolescence stores, assets or equipment and publish on Authority’s website on the prescribed format in the beginning of each financial year.
- (2) An annual disposal format referred to in this regulation shall include the following:
 - a) item description;
 - b) quantity;
 - c) estimated current value;
 - d) justification for disposal;
 - e) lifespan of item;
 - f) reference number to the assets register or records of the stores;
 - g) envisaged disposal method;
 - h) time schedule;
- (3) The disposal plan shall be flexible to accommodate emerging issues in the disposal process.

NOTIFICATION AND ADVERTISEMENT

5. Response time.-

(1) The procuring agency may decide the response time for receipt of bids from the date of publication of an advertisement or notice. Under no circumstances the response time shall be less than fifteen days for national level e-auction and and thirty days for international level e-auction from the date of publication of advertisement or notice.

(2) All advertisements or notices shall expressly mention the response time allowed for that particular e-auction along with the information for inspection of goods or site, which shall be issued till a given date, allowing sufficient time to submit the bid by the closing date.

(3) The response time shall be calculated from the date of first publication of the advertisement in a newspaper or posting on the web site, as the case may be.

(4) In situations where publication of such advertisements or notices has occurred in both electronic and print media, the response time shall be calculated from the day of its first publication in the newspapers.

6. Advertisement for e-auction.-

(1) The procuring agency shall post notification of an e- auction on the appropriate section of the EPADS using online template available on the EPADS, as notified by the Authority.

(2) All e-auction opportunities should be advertised on the Authority's website, as well as procuring agency's website (if available) and shall publish the advertisement in print media or newspapers having wide circulation. The advertisement in the newspapers shall principally appear in at least two national dailies, one in English and the other in Urdu.

(3) The advertisement will contain (a) the date, time and venue of e-auction; (b) specifications of the major items and their condition for participating in the e-auction or particulars of the location; (c) description of goods or site; (d) the reserve price for e-auction, period handing-over/ taking-over, notified rate of tax or fee and other necessary details and any other terms and conditions, where applicable, the auction

bid document shall be made available on the auctions section of the e-Procurement System and shall be made accessible to all registered users.

(4) For international public tenders, the notice shall be published in a media of wide international circulation or on widely read internet sites, in the English language.

(5) The reserve price shall be disclosed to the bidders.

7. Response time for advertisement.-

(1) The advertising period for disposal shall be at least ten (10) days;

(2) Disposal documents shall be drafted in accordance with acceptable standard.

8. Notification of Committee.-

(1) Procuring agency shall constitute and notify the Disposal Evaluation Committee consisting of odd number of persons. The Committee shall be entirely responsible for determining the verification and processing of all disposal recommendations.

(2) Procuring agency shall constitute and notify Grievance Redressal Committee for Disposal comprising of odd number of persons with proper power and authorization to address that complaint. The same shall be published on EPADS as well as on procuring agency's website (if available). The GRC shall not have any of the members of Disposal Evaluation Committee.

(3) The disposal committee shall perform the following functions:

(a) conduct survey of items for disposal;

(b) verify the condition and the location of the items identified for disposal;

(c) determine the current market value of the items for disposal;

(d) set up a reserve price;

(e) verify the justification and procedure for disposal;

(f) seek technical expertise where necessary to ascertain the value and the condition of the items; and

9. Access to e-auction process.-

(1) Access shall be open, equal and unrestricted to all eligible bidders who must have registered as bidders in accordance with these regulations.

(2) Where the suppliers or buyers are to be pre-qualified before the auction, the pre-qualification process shall be conducted online in the system.