



**REPUBLIC OF KENYA**  
**THE NATIONAL TREASURY AND ECONOMIC PLANNING**

**PUBLIC NOTICE**

**INVITATION TO SUBMIT COMMENTS, VIEWS AND MEMORANDA ON POSSIBLE AREAS FOR AMENDMENTS TO THE PUBLIC PROCUREMENT AND ASSET DISPOSAL ACT 2015**

*Article 227 of the Constitution of Kenya requires that when a state organ or any other public entity contracts for goods or services, it shall do so in accordance with a system that is fair equitable transparent, competitive and cost effective.*

Section 7(1) of the Public Procurement and Asset Disposal Act 2015, (The Act) states that the National Treasury established under section 11 of the Public Finance Management Act 2012 shall be responsible for Public Procurement and Asset Disposal Policy formulation. In exercise of this mandate, Section 7(2)© of the Act requires the National Treasury to design and prescribe an efficient procurement management system for the national and county governments to ensure transparent procurement and asset disposal as contemplated by Article 227 of the Constitution: Provided that the National Treasury shall prescribe through Regulations a system under this paragraph which operates, respects and promotes the distinctiveness of the national and county levels of government;

The Public Procurement and Asset Disposal Act 2015 came into effect in January 2016. and is now ripe for review to be in line with emerging issues, international best practices and address gaps and lessons learnt so far.

The said legal framework which has been in operation for period of 9 years, has been critical in streamlining the Public Procurement system in Kenya, *inter alia*, providing for efficient public procurement; providing clarity on the public procurement procedures and methods; emphasizing the role of professionals in public procurement; streamlining the roles and responsibilities of various actors in public procurement ; providing for eProcurement; and laying emphasis on robust contract management and Asset Management.

In line with Articles 232(1)(d) of the Constitution, the National Treasury hereby invites procurement practitioners, members of the public, national and county governments, non-governmental organizations and civil societies, private sector players and stakeholders to submit comments, views and memoranda on the proposed areas for review of the Act with a view to enhance fairness, transparency, competitiveness, cost- effectiveness and eradicate avenues of corruption, conflict of interest and abuse of office in the public sector public procurement as required in Article 227 of the Constitution, all geared towards obtaining value for money.

Persons interested in submitting comments are requested to scan the QR code that can also be accessed in the National Treasury website [www.treasury.go.ke](http://www.treasury.go.ke), PPRA website <https://ppra.go.ke> and KISM website <https://kism.or.ke> and complete the feedback form therein.



Alternatively, persons may submit written memoranda in hard copies, in the format provided for in the National Treasury website, addressed to the **Principal Secretary, National Treasury, P.O. Box 30007 Nairobi-00100**, or email to [ppd@treasury.go.ke](mailto:ppd@treasury.go.ke) with a copy to [dppd4553@gmail.com](mailto:dppd4553@gmail.com) to be received by **11<sup>th</sup> October, 2024**.

**HON. CPA JOHN MBADI NG'ONGO, EGH**  
**CABINET SECRETARY**