

PUBLIC PROCUREMENT COMMISSION

Code of Conduct

For Officers/Staff Members of the Commission

PREAMBLE

The Public Procurement Commission (hereinafter “the Commission”) is a constitutional body established under Article 212W of the Constitution of the Co-operative Republic of Guyana. Its core mandate is to promote transparency, efficiency, equity and integrity in the public procurement process. As the administrative arm of the Commission, the staff of the Secretariat is entrusted with supporting the execution of this mandate with the highest ethical and professional standards.

This Code of Conduct is promulgated to ensure that all staff members of the Commission (hereinafter “Officers”) adhere to the highest standards of honesty, impartiality, and responsibility in the discharge of their duties. It supplements the Employee Handbook and internal operating procedures and shall be read in conjunction with applicable statutory, constitutional and regulatory instruments, including the Procurement Act Cap 73:05 and the Prevention of Discrimination Act Cap 99:09.

SECTION 1 – INTERPRETATION

1.1 Interpretation for the purposes of this Code:

“Asset” means all movable or immovable property, tangible or intangible, including financial, physical, digital or intellectual property, which is owned, leased, acquired or utilised by the Commission in furtherance of its constitutional functions.

“Commission” means the Public Procurement Commission established under Article 212W of the Constitution.

“Officer” or **“Staff Member”** means any person employed within the Secretariat of the Commission pursuant to Article 212Z of the Constitution.

“Conflict of Interest” refers to a situation where a Member or Officer has a direct or indirect private, financial, or relational interest which may unduly influence or appear to influence the impartial discharge of his or her official functions.

“Constitution” means the Constitution of the Co-operative Republic of Guyana.

“Harassment” includes any unwanted conduct—verbal, physical, visual, or written—that has the purpose or effect of violating the dignity of a person.

"Political Activity" includes any act of participation, endorsement, financing or advocacy on behalf of a political party, candidate or group, whether overtly or covertly.

SECTION 2 – STANDARDS OF PROFESSIONAL CONDUCT

2.1 General Conduct

All Officers shall uphold the rule of law and the Constitution of Guyana. They shall serve the public interest with honesty, diligence, fairness, and fidelity to duty. They shall refrain from actions that could compromise or appear to compromise the independence, neutrality, or credibility of the Commission.

2.2 Legal and Ethical Responsibility

Officers shall uphold the laws and Constitution of Guyana, acting with integrity and impartiality. They shall not engage in or condone any conduct that could impair public trust in the Commission.

Sexual harassment, bullying, intimidation or retaliatory conduct will be subject to disciplinary action in accordance with the Commission's disciplinary procedure. Officers must report all violations to the designated Human Resources Officer or Head of Department in accordance with internal procedures.

2.3 Commitment and Transparency

All work must be guided by objective criteria and rendered in good faith. All actions of the Officer shall be properly recorded and open to scrutiny, subject to applicable confidentiality requirements.

2.4 Integrity

Officers must not solicit, accept, or offer any gift, hospitality, favour or inducement that could influence, or appear to influence, their professional judgement. Acceptance of such benefits may be construed as bribery or corrupt practice and reported accordingly.

Use of public funds, time or resources for personal benefit is strictly prohibited. Officers shall exercise due care in the custody of public assets and must report any abuse, loss or misuse.

SECTION 3 – CONDUCT IN THE WORKPLACE

3.1 Confidentiality and Data Protection

All official documents, deliberations, communications and information received in the course of duties shall be treated as strictly confidential. Disclosure is permitted only in accordance with legal obligations or with the express authorisation of the Commission. This duty of confidentiality survives the end of service.

3.2 Anti-Discrimination and Respectful Conduct

The Commission upholds a zero-tolerance policy against discrimination and harassment. Officers shall treat colleagues, stakeholders and members of the public with dignity and fairness, without regard to race, sex, religion, national origin, age, disability, marital status, sexual orientation, political opinion, or any other protected category under the Prevention of Discrimination Act, Cap. 99:09.

Officers shall not use their influence or position to obtain sexual favours from any other officer or potential officer, or any of the Commission's stakeholders.

3.3 Teamwork and Collegiality

Officers shall operate with mutual respect, decorum, and professional courtesy. The Commission shall act as a collegial body. Hostility, gossip, insubordination or actions that undermine team morale are inconsistent with the values of the Commission. Constructive communication, tolerance, and professionalism are expected at all times.

SECTION 4 – CONFLICT OF INTEREST AND RELATED OBLIGATIONS

4.1 Conflict of Interest

An Officer who is conflicted shall recuse himself or herself from all related work touching and concerning that conflict. Non-disclosure or continued participation in proceedings while conflicted constitutes a breach of duty and shall amount to misbehaviour.

4.1.1 Disclosure

Officers must disclose any actual or potential conflict of interest in writing to their immediate supervisor or the Human Resources Department without delay. This includes but is not limited to:

- i. Ownership interests in suppliers or contractors of the Commission.
- ii. Relationships with bidders or regulated entities, including relationships touching and concerning complaints received by the Commission (Administrative Reviews/Bid Protests, Investigations, Debarment etc.).
- iii. Outside employment or consultancy arrangements that intersect with public procurement.

Failure to disclose such interests shall result in disciplinary action in accordance with the Commission's disciplinary procedures.

4.1.2 Prohibited Transactions

Officers shall not:

- Use the Commission's resources or confidential information for personal gain.
- Engage in business dealings with a party currently under investigation by the Commission.
- Take any procurement-related decision where a conflict of interest exists.

SECTION 5 – COMPLIANCE WITH SPECIALISED POLICIES

5.1 Anti-Bribery and Corruption

The Commission adopts a zero-tolerance policy towards bribery and corruption. Officers must not solicit, accept, or offer any gift, hospitality, favour or inducement that could influence, or appear to influence, their professional judgement. Acceptance of such benefits may be construed as bribery or corrupt practice and reported accordingly.

Use of public funds, time or resources for personal benefit is strictly prohibited. Officers shall exercise due care in the custody of public assets and must report any abuse, loss or misuse.

All suspected violations shall be reported to the Chairman or the designated legal authority.

5.2 Anti-Money Laundering

Officers must be alert to suspicious transactions or activities that could involve the laundering of criminal proceeds. Due diligence must be applied in engagements with external parties, especially where financial transactions or third-party interactions are involved. Reports of suspected money laundering must be made in confidence to the Chairman of the Commission forthwith.

5.3 Political Activity

Officers must remain politically neutral in their official capacity and avoid any public or private engagement that may compromise or appear to compromise their impartiality. Political endorsements, public commentary on partisan issues, and campaign contributions in a professional context are prohibited.

5.4 Intellectual Property

Works, reports, software, manuals or publications developed by Officers in the course of their duties remain the intellectual property of the Commission. Use or dissemination of such materials without written authorisation is prohibited.

5.5 Use and Protection of Assets

All property, resources and facilities of the Commission shall be used solely for official purposes. Unauthorised, negligent or fraudulent use of assets is prohibited and may result in disciplinary action.

SECTION 6 – POST-EMPLOYMENT OBLIGATIONS

6.1 Post-Employment Obligations

Upon demitting office, Officers shall not disclose confidential information or use such information for personal benefit. They shall not appear before the Commission or communicate on behalf of parties in matters they previously handled unless explicitly authorised by the Commission or required by a Court of Law.

SECTION 7 – GOVERNANCE AND ENFORCEMENT

7.1 Reporting and Whistleblowing

Officers are encouraged to report violations of this Code through established confidential channels. Retaliation against whistleblowers is prohibited and will be met with disciplinary action.

7.2 Disciplinary Measures

Breach of this Code will invoke the disciplinary process outlined in the Commission's disciplinary procedures. Disciplinary actions may include verbal or written warnings, suspension, or termination of employment in keeping with the aforesaid disciplinary procedures.

Where misconduct may constitute a criminal offence, the matter shall be referred to the appropriate law enforcement authority.

7.3 Affirmation and Training

All staff members are required to participate in periodic ethics and compliance training. Officers shall sign a declaration affirming their understanding and adherence to this Code upon the commencement of their employment and every year thereafter.

Adopted by Resolution of the Public Procurement Commission on this 5th day of June 2025.

