

Procurement Laws

Full Description

World Bank Guidance

Information on World Bank procurement policy can be found on the [World Bank Procurement Website](#).

Effective from 1 July 2016, the World Bank implemented its new [Procurement Framework](#).

For projects prior to 1 July 2016 the World Bank had developed a series of policies and procedures governing procurement and selection of consultants in Bank-financed projects, including [Procurement Guidelines under IBRD Loans and IDA Credits & Grants](#) issued in January 2011.

World Bank has developed a methodology for assessing a country's procurement system, together with suggestions for updating and modifying a system, see [Benchmarking Public Procurement 2015](#), a pilot report assessing public procurement systems in 10 economies and [Benchmarking Public Procurement 2017 : Assessing Public Procurement Regulatory Systems in 180 Economies](#).

The World Bank has also developed a guidance note on drafting public procurement regulations: [Drafting Public Procurement Regulations - English version](#).

UNCITRAL Guidance

Another useful source of guidance in this area, specifically related to procurement in infrastructure projects, is [UNCITRAL – Legislative Guide on Privately finance Infrastructure Projects, 2000](#), in Chapter III and Recommendations 14 to 29. This provides guidance and draft legislative provisions. This can also be found in different languages on the [UNCITRAL website](#). There is also UNCITRAL [Model Law and guidance on Public Procurement, 2011](#) on general public procurement.

Samples of Procurement Legislation and Regulations

European Union

Three directives were passed in 2014 (which will come into force in member states by April 2016 at the latest) as a package of legal acts designed to modernize public procurement rules across the European Union (EU). The reforms will allow public authorities to optimize their use of public procurement. Public contracts that are covered by the European directives are valued at around EUR 420 billion, making it a key driver of the EU economy.

[European Union - EU Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement](#). This directive replaces the previous directive **Directive 2004/18/EC** on public procurement.

The water, energy, transport and postal services sectors are excluded from directive 2014/24/EU. Instead, they are regulated by [Directive 2014/25/EU](#).

Procurement of concession contracts is governed by [EU Directive 2014/23/EU on Award of concession contracts](#). Concessions are defined as contracts for pecuniary interest by means of which one or more contracting authorities or contracting entities entrusts the execution of works, or the provision and the management of services, to one or more economic operators. The consideration for the works or services

consists in the right to exploit the works or services or that right together with payment. The right to exploit the works or services implies the transfer to the concessionaire of an operating risk of economic nature involving in particular, the possibility that the concessionaire will not recoup the investments made. Therefore this would cover a broad range of PPPs.

Earlier documents included:

- [Rules applicable to Institutionalised Public-Private Partnerships \(IPPP\), with an interpretative communication in 2008.](#)
- [2004 Green Paper on public-private partnerships](#)
- [Mobilising private and public investment for recovery and long term structural change: developing Public Private Partnerships](#)

OECD

The [OECD procurement page](#), include information on public procurement strategies, a public procurement toolbox and a publication on Good Practices in OECD Countries.

WTO

The WTO's work on government procurement aims to promote transparency, integrity and competition in this market, see [WTO and government procurement](#).

EBRD

The European Bank for Reconstruction and Development (EBRD) [Procurement Policies and Rules \(PP&R\)](#) sets out the Bank's policies and rules governing procurement of good, works, services and consultancy services contracted by the Bank's clients in Bank-financed projects.

National:

[ICLG Public Procurement Laws and Regulations](#) - ICLG Public Procurement covers common issues including application of the law to entities and contracts, award procedures, exclusions and exemptions, remedies, privatisations and PPPs in 17 jurisdictions.

[A Guide to Public Procurement in CEE](#) by Allen & Overy, 2011.

The [Public Procurement Multi-jurisdictional Guide](#) is an online resource and provides practical analysis of topical cross-border issues and country-specific Q&A guides on public procurement law and practice worldwide. The Q&A guide aims to give a structured overview of the key practical issues including, for example, the applicable legislation, the regulation of concessions and PPPs and recent trends.

[Africa's public procurement and entrepreneurship research initiative](#) has links to laws and procurement authorities in North Africa and Sub-Saharan Africa

Related Content

[Legal and Regulatory Issues Concerning PPPs](#)

[Legal Framework/ Enabling Environment Assessment for PPPs](#)

[Legislation and Laws - General and Sector Specific](#)

[Regulation of Sectors and Regulatory Issues Impacting PPPs](#)

[PPP Units Around the World](#)

[Country Profiles](#)

Additional Resources

[Procurement Processes and Bidding Documents](#)

[Standardized Agreements, Bidding Documents and Guidance Manuals](#)