

# THE PROCUREMENT SYSTEM IN FIJI ISLANDS

*Uttam Vijay Naidu\**

## I. INTRODUCTION

Procurement plays an essential part in the delivery of public services. Fiji is a developing country and goods and services procured on behalf of the government agencies make up 20% to 40% of the Gross Domestic Product (GDP). It also accounts for a substantial part of the global economy. The Fiji Procurement Office was established on the 1<sup>st</sup> of August 2010 as stipulated under section 4 of the Procurement Regulation 2010. The Procurement Regulation has outlined strategies which intend to reduce wastage and eliminate fraudulent activities.

It also promotes the following objectives:

- Value for money
- Maximize economy and efficiency and ethical use of government resources
- Open and fair competition amongst suppliers and contractors
- Integrity, fairness and public confidence in the procurement process
- Achieving accountability and transparency in procedures relating to procurement.

Previous Tender Boards and their regulations have been amalgamated into one entity and one law in an effort to centralize procurement. Government reforms are ongoing to improve and attain the goals defined above.

## II. FUNCTIONS OF THE PROCUREMENT OFFICE

The main functions of the Fiji Procurement Office are to regulate and administer the procurement of goods, services and work for the government. This includes:

1. The formulation of appropriate procurement policies and processes that uphold the guiding principle of procurement.
2. The processing of all government tenders for goods, services and work valued over \$50,000.00
3. The provision of secretariat support for the newly established Government Tender Board.
4. The provision of logistic support for administration and distribution for goods purchased from overseas.
5. Conducting compliance assessments of procurement functions and activities across the whole government.

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\*Assistant Superintendent of Police, Fiji Police Force, Republic of Fiji Islands.

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Previously, before the inception of the Procurement Office, there was the Government Supplies Department which was looking after the procurement aspect of the country. At that time, there was the warehousing and retail outlets provided by government for such goods and services but that has now phased out. Currently, with the Procurement Office functional, it provides insight to the process and functions involved when dealing with goods and services on behalf of the government. The procurement sector is still in the evolutionary stage at the moment and needs more awareness and expertise in the near future to maintain its functions in the proper manner.

### **III. OFFENCES RELATED TO PROCUREMENT**

It is always anticipated when there are goods or services in issue, it is most likely that persons involved in such transactions are persistent that their product, goods or services are acknowledged for their respective price. In order to be recognized, the provider at times may be involved in overt acts in order to facilitate that particular service or goods to be procured by the government. In doing so, they become involved in the commission of offences as listed below:

- Bribery
- Abuse of office
- Corrupt practices
- Forgery
- Fraud
- Falsification of documents
- Perjury
- Making of false declarations
- Destroying evidence
- Theft
- Obtaining financial advantage
- Conspiracy to defraud.
- Money laundering

### **IV. INVESTIGATION**

Investigations of such offences are very interesting despite being time consuming and painstaking. It involves the collation of documents as proof to be able to interrogate the perpetrators of the alleged crime. Initially, a report is lodged with the Police Department regarding the alleged offence. This is normally done after the agency itself has conducted an internal investigation to establish that an offence has been committed. There are various units in the Criminal Investigation Department that deal with certain types of offences. Once a report is lodged, an Investigating Officer is appointed by the department to investigate the case. The duties of the investigator are to initially understand the nature of the complaint. He/she then visits the respective office from where the complaint has been received to identify the contact persons and elicit from him/her all relevant information pertaining to the complaint. At times when there is a large scope of avenues required to be covered by the Investigator, then an investigating team is formed and assigned to assist the investigator in carrying out the tasks as required during the course of

investigation. The team assigned will be fully versed with the nature of the complaint, the urgency and the proposed outcome from that investigation.

The Investigator then prepares an investigation plan based on the information he/she has on hand in the first instance. According to the plan, he/she will obtain information on the systems and processes of the organization involved in the alleged offence. This will assist the investigator in the retrieval of the respective documents, tracking the persons involved, and determining actually where and how the offence was committed. It would also provide an overview as to what happened to the goods or services that were intended for a particular purpose and where they have been diverted. Recovery of the goods and documents are essential for prosecution. It is also the responsibility of the Investigating Officer to provide updates on the investigation to the respective complainants.

Once the plan is prepared, all members of the team will be briefed accordingly and designated their tasks respectively in order to finalize the investigation. The investigator and the Supervising Officer will always be cautious to ensure that relevant information is not leaked or passed off to any person who could disrupt the investigation or divert it into another direction. There will be a timeframe allocated to the investigator and likewise to each member of the team to complete in order to achieve their goals within the prescribed time.