Procuring Entities and e-GP Compliance under Kenya’s Public Procurement Law

Genome Technologies Ltd - 2025-09-04 - Comments (0) - General

In Kenya, public procurement is governed by the Public Procurement and Asset Disposal Act, 2015 (PPADA) and its accompanying regulations, which set out clear requirements for how procuring entities must operate.

Section 2 of the Public Procurement and Asset Disposal Act, 2015 (the Act) defines a procuring entity as: a public entity making a procurement or asset disposal to which the Act applies. Regulation 24 of the Public Procurement and Asset Disposal Regulations (PPADR), 2020 provides for the minimum requirements for a procuring entity to be able to make corporate decisions and, for purposes of internal controls, ensure segregated responsibilities as follows:

1. An accounting officer,
2. A procurement function headed and staffed by procurement professionals,
3. Establishment of all relevant committees under section 44(2)(b) of the Act and adherence to Section 44(2)(h) of the Act,
4. A vote where the budget is approved by the National Assembly, a county assembly, or by a governing body of a public entity.

Regulation 54 of the PPADR, 2020 stipulates that The National Treasury shall ensure that all procuring entities are registered into the e-GP system and that they have their respective facilities to carry out different activities of Initiating the procurement process, Annual procurement plan preparation, Procurement document preparation, Evaluation, professional opinion, Contract award, contract management, Internal procurement process workflow management, Tracking payments, deliverables, and other processes through the available features and modules of the e-GP system.

The National Treasury will be responsible for registering all procuring entities in the e-GP system, as well as Cabinet Secretaries, Chairpersons of a Board/Commission, Accounting Officers, and Heads of Procurement/Supply Chain functions of a procuring entity.

The Head of Procurement, who is the Procuring Entity e-GP System Administrator, shall register all procuring entity users in the e-GP system. All procuring entity e-GP users MUST have authorization letters from their accounting officers to perform pre-defined e-GP system roles.