



F.No.5(1)/IT/PPRA/2022
Government of Pakistan
Public Procurement Regulatory Authority
◇◇◇

Islamabad, 19th May, 2022

Subject: **PUBLICATION OF THE CONTRACT AGREEMENT ON PPRA WEBSITE UNDER PUBLIC PROCUREMENT RULES, 2004, RULE 47, MIS-PROCUREMENT RULE 50.**

Reference Transparency International, Pakistan (TIP) letter No.TIP23/1805/1A dated 18th May, 2023 (copy enclosed), wherein they have indicated violation of Rule 47 of Public Procurement Rules, 2004 in National Highway Authority contract agreement.

2. It is apprised that this Authority has already issued instruction vide letter dated July 01, 2021 and November 11, 2021 (copy enclosed), wherein all the procuring agencies were directed to provide requisite documents pertaining to all procurements along with duly filled proforma's attached with the above referred letter, so that the same may be uploaded on Authority's website to ensure public access and transparency.

3. In view of the above, National Highway Authority is hereby requested to submit Contract Agreements on enclosed prescribed enclosed proforma along with all documents related to evaluation of bid for uploading at Authority's website in accordance with Rule 47 of Public Procurement Rules, 2004 and Regulation 4 of Declaration of Beneficial Owners' Information of Public Procurement Contract Awarded Regulations, 2022.

(Rizwan Mehmood)
Director (M/S)

Chairman,
National Highway Authority,
Islamabad

Copy to:-

✓ Advocate Daniyal Muzaffar (Trustee/Legal Advisor), TIP, Karachi



TRANSPARENCY INTERNATIONAL - PAKISTAN

Plot 72-F/2, 1st Floor, 9th Street, Jami Commercial,
Phase VII, Defence Housing Authority, Karachi
Phone: +92-21-35390408, 35311898
Fax: +92-21-35390410
Email: ti.pakistan@gmail.com
Website: www.transparency.org.pk

18th May, 2023

TIP23/1805/1A

Managing Director,
Public Procurement Regulatory Authority (PPRA),
Government of Pakistan,
Islamabad.

Sub: Denial by National Highway Authority (NHA) to Publish Contracts Awarded for Consultancy Contracts Along with Breakdown of Rates as per PPRA Approved Standard Form of Contract for Engineering Consultancy Services

Dear Sir,

Transparency International Pakistan refers to its letter No. TIP23/3003/1B dated 30th March, 2023 addressed to the Chairman, National Highway Authority, where it was pointed out that NHA is not complying with PPRA Rule 47 for the award of consultancy contracts and that NHA is required under PPRA Rule 47 to upload all contract awards, agreements, documents along with rates/price quoted/ Bill of quantity (BOQ) on PPRA website (Annex-A).

In response to TI Pakistan letter, Member (Planning) NHA has sent following has send following response to TI Pakistan via PM Portal, quoted below;

"As per PPRA Rule-35, technical and combined evaluation reports on prescribed format of PPRA are always uploaded on NHA and PPRA websites on regular basis. The forms 1 to 6 approved by PEC are the part of RFP documents. As per PPRA Rule- 35, there is no requirement of PPRA to make public forms 1 to 6 which is breakdown if quoted rates of consultants." (Annex-B).

It is to be noted that PPRA vide its letter No. 01(23)/M&E/PPRA/2019/51 dated 21st July 2022 has already issued the following instructions to Ministry of Communications, quoted below:

"In terms of the Rule 47 of the Public Procurement Rules 2004, as soon as the contract has been awarded the procuring agency shall make all documents related to the evaluation of bid and award of contract public. It is clarified that documents related to evaluation of bid also include bill of quantities or schedule of requirement, whereas documents related to award of contract include form of contract and letter of award.

In view of the above, you are hereby required to upload all the documents related to evaluation of bid including bill of quantities or schedule of requirement, and documents related to award of contract including form of contract and letter of award on the Authority website to ensure public access and transparency in accordance with Rule 47 of the public Procurement Rule, 2004" (Annex-C)

Breakdown of Agreed Fixed Rates in Consultancy Contracts is part of Standard Form of Contract for Engineering Consultancy Services which is also part of Pakistan Engineering Council (PEC) and PPRA requirements for engineering consultancy services as approved by ECNEC in its meeting dated 12th November 2007 and notified by Planning Commission, Government of Pakistan wide Notification No. 8(60)WR/PC/2008 dated 12th February 2008 (Annex-D)

The PPRA approved Standard Bidding Documents of PEC (Standard Form for Engineering Consultancy Services) includes Breakdown of Agreed Fixed Rates in Consultants Contract (page 28), Breakdown of Contract Price in Foreign Currency (page 33), and Breakdown of Contract Price in Local Currency (page 35) (Annex-E)

A NON-PARTISAN, NON-PROFIT COALITION AGAINST CORRUPTION

Donations exempted from tax U/S 2 (36) (c) of I. Tax Ordinance 2001



Managing Director, PPRA is requested to issue directives to NHA to provide requisite documents pertaining to all consultancy procurements along with Standard Forms of Contract for Engineering Services (June 11, 2007) so that the same may be uploaded on the Authority's website to ensure public access and transparency.

Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption, and achieve against Zero tolerance against corruption

With Regards,

(Advocate Daniyal Muzaffar)
Trustee/Legal Advisor
Transparency International Pakistan

Copies forwarded for the information with request to take action under their mandate to:

1. PSPM, PM House, Islamabad
2. Minister, Ministry of Communications, Islamabad
3. Secretary, Ministry of Communications, Islamabad
4. Chairman, National Highway Authority, Islamabad
5. Registrar, Supreme Court of Pakistan, Islamabad



**TRANSPARENCY
INTERNATIONAL - PAKISTAN**

Plot 72-F/2, 1st Floor, 9th Street, Jinnah Commercial,
Phase VII, Defence Housing Authority, Karachi
Phone: +92-21-35390408, 35311898
Fax: +92-21-35398418
Email: ti.pakistan@gmail.com
Website: www.transparency.org.pk

30th March, 2023

TIP23/3003/1B

Captain (R) Muhammad Khuram Agha,
Chairman,
NHA,
Islamabad,
Islamabad.

**Sub: Violation by National Highway Authority) for Publishing Contract Awarded to
Consultancy Information of Breakdown of Rates for Consultancy Contract as per
PPRA Approved PEC Form 1 To Form 6.**

Dear Sir,

Transparency International Pakistan monitors the implementation of PPRA Rule 2004, and especially Rule 47, which require all procuring agencies to upload all contract awards, agreements, documents along with rates/ price quoted/ Bill of quantity (BOQ) on PPRA website. In this regard TIP letter TL2022/0801/1G dated 1.8.2022 to NHA is enclosed (Annex-A).

While examining the PPRA website it is observed that NHA is not complying with PPRA Rule 47 for the award of consultancy contracts. We refer to Award of Contract to Mr. Muhammad Iqbal at Rs 63 Million PCN 3965 hoisted on PPRA website 27.7.2022 (Annex-B).

Transparency International Pakistan refers to the mandatory requirement of PPRA that Standard Bidding Document (SBD) of PEC to be used by all Procuring Agencies, which include in the Invitation of Tender, Bills of Quantity (BOQ) in case of works and goods contract, and in case of cases of Consultancy Services, in the Request of Proposal, requires the breakdown of rates for Form 1, 2, 3, 4, 5 and 6, Refer to Standard Procedure for Evaluation of Proposals for Procurement of Engineering Services. These six forms are enclosed. (Annex-C).

The requirement of disclosing the quoted rates, prices by all bidders shall be posted on PPRA website, for public access.

Chairman, NHA is requested to advise the relevant department/ offices to upload the information of Consultancy Contract on the PPRA website in compliance of requirement Rule 47.



TRANSPARENCY
INTERNATIONAL PAKISTAN

Continuation Sheet No.....

Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption, and achieve against Zero tolerance against corruption

With Regards,

(Advocate Daniyal Muzaffar)
Trustee/Legal Advisor
Transparency International Pakistan

Copies forwarded for the information with request to take action under their mandate to:

1. Prime Minister of Pakistan, PM House, Islamabad
2. Chairman, Prime Minister Inspection Commission, PMIC, Islamabad
3. MD, PPRA, Islamabad



Complaint History

STATUS

Closed - Relief cannot be granted

REMARKS

تعمیر

Respected Citizen, thank you for reaching us in the matter. It is to inform that "As per PPRA Rule 35, technical and combined evaluation reports on prescribed format of PPRA are always uploaded on NHA and PPPA websites on regular basis. The forms 1 to 6 approved by PEC are the part of RFP document. As per PPRA Rule-35, there is no requirement of PPRA to make public forms 1 to 6 which is breakdown of quoted rates of consultants" (without prejudice).

However, your good-self is requested to visit the office of GM (P&CA), NHA HQ for any further clarification in the matter. Presently, your complaint cannot be entertained, therefore, the status of the complaint may be considered as "Relief cannot be Granted". NHA apologizes for any inconvenience in the matter.

Regards

Member (Planning), NHA HQ



FEEDBACK



Government of Pakistan
Public Procurement Regulatory Authority
(Monitoring & Evaluation Wing)

Annex-C

<><>

No: 01(23)/M&E/PPRA/2018/51

Islamabad, July 21, 2022


Subject: VIOLENT BY MINISTRY OF COMMUNICATION IN THE PUBLICATION OF THE CONTRACT AGREEMENTS ON PPRA WEBSITE UNDER PUBLIC PROCUREMENT RULES, 2004, RULE 47, MIS-PROCUREMENT RULE 50

Reference is invited to Transparency International – Pakistan letter dated June 07, 2022, wherein TI-Pakistan requested Prime Minister to issue instruction to all the procuring agencies to publish contract evaluation report, bill of quantities, form of contract and letter of award along with contract details on PPRA website.

2. It is apprised that this Authority has already issued instructions vide letter dated July 01, 2021 and November 11, 2021 (copy attached), wherein all the procuring agencies were directed to provide requisite documents pertaining to all procurements along with duly filled proforma's attached with the above referred letter, so that the same may be uploaded on the Authority's website to ensure public access and transparency.

3. In terms of Rule 47 of the Public Procurement Rules, 2004, as soon as the contract has been awarded the procuring agency shall make all documents related to the evaluation of bid and award of contract public. It is clarified that documents related to evaluation of bid also include bill of quantities or schedule of requirement, whereas the documents related to award of contract include form of contract and letter of award.

4. In view of the above, you are hereby required to upload all the documents related to evaluation of bid including bill of quantities or schedule of requirement, and documents related to award of contract including form of contract and letter of award on the Authority Website to ensure public access and transparency in accordance with Rule 47 of the Public Procurement Rules, 2004.


(Muhammad Ibrahim R. Khan)
Deputy Director-III (M&E)

Section Officer (General / Admin)
Ministry of Communications
Islamabad.

Cc:

- ✓ Ms. Yasmeen Lari, Chairperson, Transparency International Islamabad
- PS to Managing Director, Public Procurement Regulatory Authority, Islamabad.

**STANDARD FORM OF CONTRACT
FOR
ENGINEERING CONSULTANCY SERVICES
(For Large Projects)**

TIME BASED ASSIGNMENTS

Available on PEC website (www.pec.org.pk)
and PPRA website (www.ppra.org.pk)

(Harmonized with PPRA Rules)

June 11, 2007



**PAKISTAN ENGINEERING COUNCIL
ISLAMABAD**

ACKNOWLEDGMENT

Pakistan Engineering Council extends deep appreciations and acknowledges the tremendous contribution in developing and finalizing this document by the following members of the Pakistan Engineering Council (PEC):-

1. Engr. M. Mazhar-ul Islam - Convenor
General Manager (Contracts), NESPAK, Lahore
2. Engr Dr Asad Ali Shah - Member
Member, Planning Commission, GoP, Islamabad
3. Engr Maj Gen (R) Mahboob ul Muzaffar - Member
Registrar, PEC
4. Engr Ch. Mahmood Ahmed - Member
Executive Engineer, WAPDA, Multan
5. Engr Balal A. Khwaja - Expert
M/s Engineering Contracts Advisors Corporate Affairs Consultants, Karachi
6. Engr Mushtaq Mahmood - Expert
Director, PPRA, Islamabad
7. Engr Mian Abdul Sattar - Expert
Vice President, (Contracts and Construction Management), NESPAK, Lahore
8. Engr Ejaz Ahmed Khan - Expert
World Bank Consultants, Lahore
9. Engr Shamshair Dad Khan - Expert
Director, Central Contracts Cell (CCC), WAPDA, Lahore

NOTIFICATION NO. 8(60)WR/PC/2008 DATED 12th FEBRUARY, 2008
PLANNING & DEVELOPMENT DIVISION
GOVERNMENT OF PAKISTAN

Appendix D

Breakdown of Contract Price in Foreign Currency

[List hereunder cost estimates in foreign currency:

1. (a) Monthly rates for foreign personnel (Key Personnel and other Personnel)
- (b) Total Remuneration of Staff (on the basis of monthly rates)
2. Reimbursable direct costs (non-salary costs);

Direct Non-salary Costs are such incurred non-salary costs which are directly allocable to specific engagements and projects. These costs include but are not limited to the following:

- (i) Provisions for office, light, heat and similar items for working space, costs or rental for furniture, drafting equipment and engineering instrument and automobile expenses identifiable to specific projects for which special facilities other than head office of the firm are arranged.
- (ii) Provision for labour or work charge establishment.
- (iii) Daily and travelling allowances/expenses of employees, partners and principals when away from home/office on business connected with the project.
- (iv) Identifiable communication expenses, such as long distance telephone, telegraph, cable, telex, express charges, and postage other than general correspondence.
- (v) Services directly applicable to the project such as special legal and accounting expenses, computer rental and programming costs, special consultants, borings, laboratory charges, perspectives, renderings, photos, model costs, commercial printing and binding and similar costs which are not applicable to the overhead costs, professional liability insurance cover in accordance with the provisions set out in Sub-Clause GC 3.4.
- (vi) Identifiable drafting supplies and office supplies and expenses charged to the employers work, as distinguished from such supplies and expenses applicable to several projects.
- (vii) Identifiable reproduction cost applicable to the work such as blue printing, photostating, mimeographing, printing, binding etc.

(The detail of the cost estimates to be provided on the additional pages).

Appendix E

Breakdown of Contract Price in Local Currency

[List hereunder cost estimates in local currency:

1. (a) Monthly rates for local Personnel (Key Personnel and other Personnel);
(b) Total Remuneration of staff (on the basis of monthly rates)
2. Reimbursable direct costs (non-salary costs);

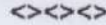
Direct Non-salary Costs are such incurred non-salary costs which are directly allocable to specific engagements and projects. These costs include but are not limited to the following:

- (i) Provisions for office, light, heat and similar items for working space, costs or rental for furniture, drafting equipment and engineering instrument and automobile expenses identifiable to specific projects for which special facilities other than head office of the firm are arranged.
- (ii) Provision for labour or work charge establishment.
- (iii) Daily and travelling allowances/expenses of employees, partners and principals when away from home/office on business connected with the project.
- (iv) Identifiable communication expenses, such as long distance telephone, telegraph, cable, telex, express charges, and postage other than general correspondence.
- (v) Services directly applicable to the project such as special legal and accounting expenses, computer rental and programming costs, special consultants, borings, laboratory charges, perspectives, renderings, photos, model costs, commercial printing and binding and similar costs which are not applicable to the overhead costs, professional liability insurance cover in accordance with the provisions set out in Sub-Clause GC3.4.
- (vi) Identifiable drafting supplies and office supplies and expenses charged to the employers work, as distinguished from such supplies and expenses applicable to several projects.
- (vii) Identifiable reproduction cost applicable to the work such as blue printing, photostating, mimeographing, printing, binding etc.

(The detail of the cost estimates to be provided on the additional pages).



Government of Pakistan
Public Procurement Regulatory Authority
(Monitoring & Evaluation Wing)



No: 1(5)/M&E/PPRA/2018/263

Islamabad, the July 1, 2021

Subject: **PUBLICATION OF CONTRACT AWARDS ON PPRA's WEBSITE
WITHOUT ANY REFERENCE TO THE AMOUNT OF CONTRACT**

Regulation (2) of Public Procurement Regulations, 2009 requires the procuring agencies to post the contracts over fifty million rupees on PPRA's website. However, in terms of Rule 47 of Public Procurement Rules, 2004, the procuring agencies are required to make all the documents related to the evaluation of the bid and award of contract public (without any reference to the contract amount). In case, publication of any of such information is of the proprietary nature or its disclosure is against the public interest, it can be withheld with prior approval of the Authority only. Moreover, sections 5(2) (i) & 16 of PPRA Ordinance empower the Authority to call for any information from any functionary or institution in pursuance of its objectives.

2. PPRA intends to conduct statistical analysis of the procurement data in general and with specific reference to the small, medium and large enterprises and their contribution in the public procurement on the basis of most recent information. For this purpose, the information regarding all the contracts is essentially required for comprehensive statistical analysis, and developing any procurement strategy for the Small & Medium Enterprises (SMEs) while entering into the era of e-Procurement.

3. Keeping in view the above, all the Secretaries and Heads of the autonomous bodies are requested to issue instructions to all the departments attached or under the administrative control of their Ministry / Division, to ensure that all the documents related to the evaluation of the bid and award of contract (without any reference to the contract amount) be made public, and all such documents be provided to PPRA w.e.f. 1st July, 2021 for statistical analysis as well as for publishing the same on PPRA's website.

(Engr. Muhammad Zubair)
Director General (M&E)

All the Federal Secretaries / Heads of the Organizations

CC:

Director (MIS), PPRA with a request to upload the same on the Authority's website for compliance.



Managing Director

F.No. 1(5)/M&E/PPRA/2018/35
PUBLIC PROCUREMENT REGULATORY AUTHORITY
CABINET DIVISION
GOVERNMENT OF PAKISTAN


Islamabad, the 11th November, 2021.

Subject: **PUBLICATION OF CONTRACT AWARDS ON PPRA's WEBSITE
WITHOUT ANY REFERENCE TO THE AMOUNT OF CONTRACT**

The Authority vide letter of even No. dated July 01, 2021, (copy attached) required all procuring agencies to submit documents related to the evaluation of the bid and award of the contract (without any reference to the contract amount) for uploading on the PPRA's website, as enshrined under Rule 47 of Public Procurement Rules, 2004 and Regulation (2) of Public Procurement Regulations, 2009. However, it has been observed that procuring agencies are in partial compliance of the said requirement by submitting the requisite documents related to few procurements.

2. You are once again requested to issue instructions to all procuring agencies under the administrative control of your Ministry/Division to provide requisite documents pertaining to all procurements along with duly filled proformas attached with the above referred letter, so that the same may be uploaded on the Authority's website to ensure public access and transparency.

Encl: as above


(Rizwan Malik)

All the Federal Secretaries / Heads of the Organizations

✓ CC:

Director (MIS), PPRA with the direction to upload the same on the Authority's website for compliance.

**PUBLIC PROCUREMENT REGULATORY
AUTHORITY (PPRA)**

CONTRACT AWARD PROFORMA – I
(As Per Rule 47 of PP Rules, 2004)

To Be Filled And Uploaded on PPRA Website In Respect of All
Public Contracts of Works, Services and Goods.

- > NAME OF THE ORGANIZATION/DEPTT. _____
- > FEDERAL / PROVINCIAL GOVT. _____
- > TITLE OF CONTRACT _____
- > TENDER NUMBER _____
- > BRIEF DESCRIPTION OF CONTRACT _____

- > TENDER VALUE _____
- > ENGINEER'S ESTIMATE _____
(for civil Works only)
- > ESTIMATED COMPLETION PERIOD _____
- > WHETHER THE PROCUREMENT WAS INCLUDED IN ANNUAL
PROCUREMENT PLAN? _____ Yes / No
- > ADVERTISEMENT :
 - (i) PPRA Website _____ Yes / No
(Federal Agencies) (If yes give date and PPRA's tender number)
 - (ii) News Papers _____ Yes /
No
(If yes give names of newspapers and dates)
- > TENDER OPENED ON (DATE & TIME) _____
- > NATURE OF PURCHASE _____ Local / International
- > EXTENSION IN DUE DATE (If any) _____ Yes / No

- NUMBER OF TENDER DOCUMENTS SOLD _____
(Attach list of Buyers)
- WHETHER QUALIFICATION CRITERIA WAS INCLUDED IN BIDDING/TENDER DOCUMENTS _____ Yes / No
(If yes enclose a copy).
- WHETHER BID EVALUATION CRITERIA WAS INCLUDED IN BIDDING/TENDER DOCUMENTS _____ Yes / No
(If yes enclose a copy).
- WHICH METHOD OF PROCUREMENT WAS USED: - (Tick one)
 - a) SINGLE STAGE – ONE ENVELOPE PROCEDURE _____
 - b) SINGLE STAGE - TWO ENVELOPE PROCEDURE. _____
 - c) TWO STAGE BIDDING PROCEDURE. _____
 - d) TWO STAGE – TWO ENVELOPE BIDDING PROCEDURE. _____
- PLEASE SPECIFY IF ANY OTHER METHOD OF PROCUREMENT WAS ADOPTED WITH BRIEF REASONS (i.e EMERGENCY, DIRECT CONTRACTING, NEGOTIATED TENDERING ETC.)
- WHO IS THE APPROVING AUTHORITY _____
- WHETHER APPROVAL OF COMPETENT AUTHORITY WAS OBTAINED FOR USING A METHOD OTHER THAN OPEN COMPETITIVE BIDDING.
- NUMBER OF BIDS RECEIVED _____
- WHETHER THE SUCCESSFUL BIDDER WAS LOWEST BIDDER__ Yes / No
- WHETHER INTEGRITY PACT WAS SIGNED _____ Yes / No

PUBLIC PROCUREMENT REGULATORY
AUTHORITY (PPRA)
(As Per Rule 47 of PP Rules, 2004)

CONTRACT AWARD PROFORMA – II

To Be Filled And Uploaded on PPRA Website In Respect of All
Public Contracts of Works, Services & Goods.

➤ NUMBER OF BIDDERS PRESENT AT THE TIME OF
OPENING OF BIDS _____

➤ NAME AND ADDRESS OF THE SUCCESSFUL BIDDER _____

➤ RANKING OF SUCCESSFUL BIDDER IN EVALUATION REPORT
(i.e. 1st, 2nd, 3rd EVALUATED BID).

➤ NEED ANALYSIS (Why the procurement was necessary?) _____

➤ IN CASE EXTENSION WAS MADE IN RESPONSE TIME, WHAT WERE THE
REASONS (Briefly describe) _____

➤ WHETHER NAMES OF THE BIDDERS AND THEIR PRICES WERE READ OUT AT THE TIME OF OPENING OF BIDS _____ Yes / No

➤ DATE OF CONTRACT SIGNING _____
(Attach a copy of-agreement)

➤ CONTRACT AWARD PRICE _____

➤ WHETHER COPY OF EVALUATION REPORT GIVEN TO ALL BIDDERS _____ Yes / No
(Attach copy of the bid evaluation report)

➤ ANY COMPLAINTS RECEIVED _____ Yes / No
(If yes result thereof)

➤ ANY DEVIATION FROM SPECIFICATIONS GIVEN IN THE TENDER NOTICE/DOCUMENTS _____ Yes / No
(If yes give details)

➤ DEVIATION FROM QUALIFICATION CRITERIA _____ Yes / No
(If yes give details)

➤ SPECIAL CONDITIONS, IF Any
(Give Brief Description)

S. R. O. 592(I)/2022.—In exercise of powers conferred by Section 27 of Public Procurement Regulatory Authority Ordinance, 2002 (No. XXII of 2002), the Public Procurement Regulatory Authority is pleased to make the following regulations, namely :—

1. Short title and commencement.—(1) The regulations may be called as Declaration of Beneficial Owners' Information of Public Procurement Contract Awarded Regulations, 2022.

(2) They shall come into force at once.

2. Definitions.—(1) In these Regulation unless, there is anything repugnant in the subject or context:

(a) "Company" means a company formed and registered under the company law and includes but not limited to private limited company, public limited company, firm, association of persons or sole proprietorship or any other form of business organization.

(b) "Beneficial Owner (BO)" means,—

- (i) natural person who ultimately owns or controls the bidder's company and / or the natural person on whose behalf a transaction is being conducted; or
- (ii) natural person who exercise ultimate effective control over a legal person or legal arrangement.

¹ The definition of "Beneficial owner" adopted from the Anti-Money Laundering Act, 2010.

(c) "Public Procurement Contract (PPC)" means the contract awards under Public Procurement Regulatory Authority Ordinance, 2002, Public Procurement Rules, 2004 and the Regulations.

(2) The expressions used but not defined in these Regulations shall have the same meaning as are assigned to them in the Public Procurement Regulatory Authority Ordinance, 2002, Public Procurement Rules 2004 and the Regulations.

3. **Scope.**—These Regulations shall extend to the whole of Pakistan and shall be applicable to all the procuring agencies within or outside Pakistan.

4. **Declaration of Beneficial Ownership Information.**—All procuring agencies while engaging in public procurement contracts worth Rs. 50 Million and above shall make a mandatory provision of beneficial ownership information of the company in the said contracts as per prescribed Proforma (**Annexure-I**) in accordance with provisions of Forms-42, 43 and 44 of the Securities & Exchange Commission of Pakistan.

5. **Enforcement Mechanism of Beneficial Ownership Information.**—(1) Subject to regulation 4, the procuring agencies while engaging in public procurement contract awards shall publicise the beneficial ownership information of the company on PPRA's website.

(2) In case of failure to provide the required information of the beneficial ownership by the company or submission of false or partial information, the procuring agency shall:

- i. Blacklist the said company in accordance with rule 19(1)(a) of Public Procurement Rules, 2004,
- ii. Reject the bid of the said company:

Provided that any object or class of objects procured in contravention of any provision of these regulations shall amount to mis-procurement.

(3) In case the procuring agency fails to obtain the required information as per prescribed proforma (**Annex-I**) from prospective bidder during procurement process and the procuring agency enters into a contract with the said bidder then the managing Director (PPRA) may declare such procurement process as mis-procurement and blacklist the said bidder.

[No. 7(61)/PPRA.sectt./PPRA/2022.]

ALI TEMUR,
Director (Coord & Estab).

ANNEXURE: I

Declaration of Ultimate Beneficial Owners Information for Public Procurement Contracts.

1. Name

2. Father's Name/Spouse's Name

3. CNIC/NICOP/Passport No.

4. Nationality

5. Residential address

6. Email address

7. Date on which shareholding, control or interest acquired in the business.

8. In case of indirect shareholding, control or interest being exercised through intermediary companies, entities or other legal persons or legal arrangements in the chain of ownership or control, following additional particulars to be provided:

1	Name
2	Legal form (company/limited Liability Partnership/ Association of Persons/Single Member Firm/rust/Any other individual, body corporate (to be specified))
3	Date of incorporation/ registration
4	Name of registering authority
5	Business Address
6	Country
7	Email address
8	Percentage of shareholding, control or interest of BO in the legal person or legal arrangement
9	Percentage of shareholding, control or interest of legal person or legal arrangement in the Company
10	Identity of natural person who ultimately owns or controls the legal person or legal arrangement

9. Information about the Board of Directors (details shall be provided regarding number of shares in the capital of the company as set opposite respective names).