

**WRITTEN QUESTION TO THE MINISTER FOR TREASURY AND RESOURCES  
BY DEPUTY J.H. PERCHARD OF ST. SAVIOUR  
ANSWER TO BE TABLED ON TUESDAY 21st APRIL 2020**

**Question**

Will the Minister –

- (a) state what emergency procurement processes are currently being used within the States of Jersey, if any, and explain how they differ from ‘business-as-usual’ processes, if at all;
- (b) state which post, if any, has been identified as the lead on ‘emergency procurement’;
- (c) advise what provisions within the Public Finances (Jersey) Law 2019, if any, restrict the speed at which procurement processes may be followed and further advise whether she will bring forward amendments to the Law in order to speed up procurement processes during the Coronavirus outbreak; and
- (d) advise whether the Government is currently taking the due diligence undertaken by other parties (such as the U.K. Foreign Office) as sufficient for the Government’s procurement processes in order to avoid having to repeat such due diligence?

**Answer**

- (a) The Public Finances Manual allows for emergency procurement in the existing framework and therefore this process is being adopted where required. For example an emergency process could be utilised where an existing corporate contract supplier cannot fulfil requirements. In this case an exemption would be sought to source from another supplier. Existing contracts are being used as much as possible and existing procurement processes are agile enough to respond.
- (b) The lead for emergency procurement is the Director of Commercial Services working alongside the States Treasurer
- (c) In the Minister’s view there are no provisions within the Public Finances Law which restrict the speed at which procurement processes may be followed. The Public Finances Manual, issued under the Law, includes a number of controls to safeguard the probity and value for money of public procurement. These requirements can be waived where the need to buy goods and services is urgent through completion of an exemption form, authorised by the Accountable Officer and Director of Commercial Services.
- (d) There is guidance on due diligence outlined within the procurement toolkit which varies depending upon the individual procurement activity with factors including risk, value, source of supply, etc. There is always a need to strike an appropriate balance between expediency and diligence. When an urgent procurement is needed, for example for protective equipment, there is still a need to carry out an appropriate level of diligence due to the volatility of the global marketplace and to document the decision-making process. The Comptroller and Auditor General has highlighted the enhanced risk of fraud during the current extraordinary circumstances, and that risk is taken seriously.