

**SPEECH BY THE AG. PRINCIPAL JUDGE ON THE OCCASION OF  
SWEARING MEMBERS OF THE PUBLIC PROCUREMENT AND  
DISPOSAL OF ASSETS APPEALS TRIBUNAL**

The Representative of the Minister of Finance  
Chairperson and members of the PPDA Appeals Tribunal  
The Chief Registrar  
Senior Government officials  
Members of the Press  
Ladies and Gentlemen

I welcome you to the Commercial Court the headquarters of Commercial Justice in Uganda. The Court is people and investor friendly and so you should feel at home especially for people who hardly come to court.

I congratulate the members who have just been sworn in. I know that the Minister had very good reasons to appoint to appoint you to this high office and I have no doubt that you will discharge your functions with distinction, excellence and fairness guided by the cardinal principles of justice.

The role of the PPDA Tribunal is provided in **Section 91 (I) of the Act. The Tribunals major role is to review decisions by the Authority under the following instances:**

(1) A bidder who is aggrieved by a decision made by the

Authority under section 91(4)

(2) A bidder who alleges that the Authority has a conflict of interest in respect of a matter before the Authority and who believes that the matter cannot be handled impartially by the Authority, may apply to the Tribunal for a determination of the allegation and where necessary, of the matter that was before the Authority.

In addition to subsections (1) and (2) above, the Tribunal has power to review a decision of the Authority where an application is properly made to the Tribunal by a procuring and disposing entity or by any person whose rights are adversely affected by a decision made by the Authority.

The Tribunal is required to make reasoned decisions in writing within a period of not more than ten working days after receiving an application for review.

This wide and sweeping mandate of the PPDA Tribunal commands the Tribunal to carry out its responsibilities well in a sober, candid and informed manner. This is particularly so, because the future of effective and efficient government based on value for money lies on an efficient procurement function.

As the Education Service Commission, you will be judged by how many procurements are done based on value for money and on the other side of

the coin, the speed at which you resolve the business before you. Therefore focus your energies not on the processes but on the result, which in this case are the decisions. Make your decisions speedily instead of agonising over them to avoid case backlog and distorting the delivery of services across the country.

The oath which you have taken today should therefore guide you in your day to day work. According to the oath, you must never depart from the law. You should be accountable to the law and if in doubt, the law should be your guide.

The oath equally requires you to serve this country to the best of your abilities and bearing in mind the enormous responsibilities placed upon you. You should therefore take this appointment as a special calling for you to make your contribution to our motherland, Uganda.

As members of the PPDA Tribunal, you are clothed with quasi judicial functions to try cases of indiscipline. This will, however, necessitate you to observe as a minimum the rule of natural justice. You should give every person who appears before you a right to be heard.

You should avoid bias both in real and perceived terms. You should be guided by the evidence before you and not intuition or rumours. And above all, you should be fair to those who appear before you.

I have no doubt that the Tribunal will discharge its functions with excellence. May God guide you as you serve the Country.

FOR GOD AND MY COUNTRY.

**D K Wangutusi**

**AG. Principal Judge**