

# **PUBLIC PROCUREMENT REGULATION IN AFRICA BIBLIOGRAPHY**

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## **ABSTRACT**

This bibliography lists all academic materials published in English on matters relating to public procurement law in Africa. It is up to date to 31 December 2018.

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**PUBLIC PROCUREMENT REGULATION IN AFRICA****BIBLIOGRAPHY****2018**DEVELOPED AND MAINTAINED BY THE  
AFRICAN PROCUREMENT LAW UNIT (APLU)[www.africanprocurementlaw.org](http://www.africanprocurementlaw.org)**MATERIAL ON REGIONAL ARRANGEMENTS AND OTHER GENERAL /  
COMPARATIVE MATERIAL****GENERAL / COMPARATIVE****Books and Dissertations**

A.E. Arimoro, *The role of law in the successful completion of public-private partnership projects in Nigeria: lessons from South Africa* (2018) PhD thesis. University of Cape Town (<https://open.uct.ac.za/handle/11427/30026>).

A. Engelbert, M. Kaltenborn & N. Reit-Born, *Effective Corruption Control – Supplier Remedies in Public Procurement in Kenya, Uganda and Tanzania – A Comparative Analysis of Mechanisms and their Implementation* (Berlin: Logos Verlag, 2016)

A. Engelbert, *Public Procurement Law in Sub-Saharan Africa: A Means to Curb Corruption?* (Baden-Baden: Nomos, 2017)

C. Léon de Mariz, C. Ménard & B. Abeillé, *Public Procurement Reforms in Africa: Challenges in Institutions and Governance* (Oxford: OUP, 2014)

**Articles and Essays in Edited Collections**

B. Basheka, “Public Procurement Reforms in Africa: A Tool for Effective Governance and the Public Sector and Poverty Reduction” in K.V. Thai, (ed.), *International Handbook of Public Procurement* (Boca Raton, FL: Taylor and Francis, 2009) 131

E. Caborn & S. Arrowsmith, "Procurement Methods in Public Procurement Systems in Africa" in G. Quinot & S. Arrowsmith (eds) *Public Procurement Regulation in Africa* (Cambridge University Press, 2013) 331

M. Diallo, "Corruption, fraud and African procurement" in S. Williams-Elegbe & G. Quinot (eds) *Public Procurement Regulation for 21<sup>st</sup> Century Africa* (Cape Town: Juta, 2018) 99

A. Fall and M. Frilet, "Public Procurement in Francophone Africa" in R. Hernández Garcia (ed.), *International Public Procurement: a Guide to Best Practice* (Globe Law and Business, 2009) 75

K. Jacobs, "Naval Programmes – Procurement Programmes of Middle-East and North-African Navies" (2007) 27 *Naval Forces* 83

S.R. Karangizi, "Framework Arrangements in Public Procurement: A Perspective from Africa" in S. Arrowsmith (ed.), *Reform of the UNCITRAL Model Law on Procurement: Procurement Regulation for the 21<sup>st</sup> Century* (Eagan: West, 2009) 243

J.O. Kuye & U. Kakumba, "The Ombudsman Institutions in the Procurement of Legal Responsibilities in the Commonwealth: An Overview of Canada, South Africa and Uganda" (2008) 43(3) *Journal of Public Administration* 156

A. La Chimia, "Development aid procurement and the UNGPs on Business and Human Rights: Challenges and opportunities to move towards the new frontier of 'buying justice'" in S. Williams-Elegbe & G. Quinot (eds) *Public Procurement Regulation for 21<sup>st</sup> Century Africa* (Cape Town: Juta, 2018) 32

A. La Chimia, "The Impact of Aid-Funded Procurement on National Procurement Systems in Africa: A Theoretical View" in G. Quinot & S. Arrowsmith (eds) *Public Procurement Regulation in Africa* (Cambridge University Press, 2013) 284

F. Lichere & B. Martor, "On the Development of Public-Private Partnerships in Africa: Current Reforms and Future Prospects" (2007) 3 *International Business Law Journal* 297

W.T. Mugadza, "Self-cleaning in public procurement in Africa: Lessons from the European Union" in S. Williams-Elegbe & G. Quinot (eds) *Public Procurement Regulation for 21<sup>st</sup> Century Africa* (Cape Town: Juta, 2018) 155

S. Narrainen, "Curbing corruption in Africa through the African Integrity Fund: A case study of firms sanctioned by the African Development Bank" in S. Williams-Elegbe & G. Quinot (eds) *Public Procurement Regulation for 21<sup>st</sup> Century Africa* (Cape Town: Juta, 2018) 141

C. Nicholas, "Electronic procurement in Africa" in S. Williams-Elegbe & G. Quinot (eds) *Public Procurement Regulation for 21<sup>st</sup> Century Africa* (Cape Town: Juta, 2018) 201

S.N. Nyeck, "The Implicit Dimensions of Public Procurement Contracts: African History and Debates" in S.N. Nyeck (ed) *Public Procurement Reform and Governance in Africa* (New York: Palgrave Macmillan, 2016) 31

G. Quinot & S. Williams-Elegbe "The new challenges and opportunities for public procurement regulation in Africa" in S. Williams-Elegbe & G. Quinot (eds) *Public Procurement Regulation for 21<sup>st</sup> Century Africa* (Cape Town: Juta, 2018) 1

G. Quinot "Public procurement law in Africa within a developmental framework" in S. Williams-Elegbe & G. Quinot (eds) *Public Procurement Regulation for 21<sup>st</sup> Century Africa* (Cape Town: Juta, 2018) 15

G. Quinot, "A Comparative Perspective on Supplier Remedies in African Public Procurement Systems" in G. Quinot & S. Arrowsmith (eds) *Public Procurement Regulation in Africa* (Cambridge University Press, 2013) 390

G. Quinot "Promotion of Social Policy through Public Procurement in Africa" in G. Quinot & S. Arrowsmith (eds) *Public Procurement Regulation in Africa* (Cambridge University Press, 2013) 467

G. Quinot & S. Arrowsmith, "Introduction" in G. Quinot & S. Arrowsmith (eds) *Public Procurement Regulation in Africa* (Cambridge University Press, 2013) 1

V. Sharma, "An update on procurement reforms at the African Development Bank" (2016) 4 *Public Procurement Law Review* 151-163

S. Willet, "Defence Expenditures, Arms Procurement and Corruption in Sub-Saharan Africa" (2009) 36 *Review of African Political Economy* 335

S. Williams-Elegbe, "Bidder and contractor remedies in procurements funded by the multilateral development banks: The case of the World Bank" in S. Williams-Elegbe & G. Quinot (eds) *Public Procurement Regulation for 21<sup>st</sup> Century Africa* (Cape Town: Juta, 2018) 295

S. Williams-Elegbe, "The Changes to the World Bank's Procurement Policy and the Implications for African Borrowers" (2014) 1 *African Public Procurement Law Journal* 22

S. Williams-Elegbe, "Beyond UNCITRAL: The challenges of procurement reform implementation in Africa" (2014) 25 *Stellenbosch Law Review* 209-224

S. Williams-Elegbe, "A Perspective on Corruption and Public Procurement in Africa" in G. Quinot & S. Arrowsmith (eds) *Public Procurement Regulation in Africa* (Cambridge University Press, 2013) 425

S. Williams-Elegbe, "The World Bank's Influence on Procurement Reform in Africa" (2013) 21 (1) *African Journal of International and Comparative Law*, 95-119

S. Williams-Elegbe, "A Comparative Analysis of Public Procurement Reforms in Africa: Challenges and Prospects" (2015) 1 *The Swedish Procurement Law Journal (Upphandlingsrättslig Tidskrift)* 11

S. Williams-Elegbe, "Debarment in Africa: A Cross-Jurisdictional Evaluation" (2016) 3 *Public Procurement Law Review* 71

S. Williams-Elegbe, "Systemic Corruption and Public Procurement in Developing Countries: Are there any solutions?" (2018) 18 (2) *Journal of Public Procurement* 1

### **Notes**

W. Odhiambo, & P. Kamau, "Public Procurement: Lessons from Kenya, Tanzania and Uganda" (OECD Development Centre, 2006)

Report on the Proceedings of the Conference of the Public Procurement Reform in Africa, Abijan 1998 (The World Bank, The African Development Bank, United Nations Development Programme, International trade Centre UNCTAD/WTO, 1998)

### **COMMON MARKET FOR EASTERN AND SOUTHERN AFRICA (COMESA)**

#### **Articles and Essays in Edited Collections**

S.R. Karangizi, "The Comesa Public Procurement Reform Initiative" (2005) 14 *Public Procurement Law Review* NA51

S.R. Karangizi and I. Ndahiro, "Public Procurement Reform and Development in the Eastern and Southern Africa Region" in R. Hernández Garcia (ed.), *International Public Procurement: a Guide to Best Practice* (Globe Law and Business, 2009) 113

E. Nwogwugwu, "Towards the Harmonisation of International Procurement Policies and Practices" (2005) 14 *Public Procurement Law Review* 131

**ORGANISATION FOR THE HARMONISATION OF BUSINESS LAW IN AFRICA  
(L'ORGANISATION POUR L'HARMONISATION DU DROIT DES AFFAIRES EN  
AFRIQUE – OHBLA)**

**Articles and Essays in Edited Collections**

O. Fille-Lambie, “Legal Aspects of Project Financing as Applied to Public Utilities in the Ohbla Zone” (2001) *International Business Law Journal* 925

**Notes**

P.K. Agboyibor, “Ohbla - Business Law in Africa” (2000) *International Business Law Journal* 490

**MATERIAL ON INDIVIDUAL COUNTRIES**

**BOTSWANA**

**Articles and Essays in Edited Collections**

E. Botlhale, “Public Procurement in Botswana: A Survey of Issues” in S.N. Nyeck (ed) *Public Procurement Reform and Governance in Africa* (New York: Palgrave Macmillan, 2016) 181

R. Kumar & E. Caborn, “The Regulatory Framework for Public Procurement in Botswana” in G. Quinot & S. Arrowsmith (eds) *Public Procurement Regulation in Africa* (Cambridge University Press, 2013) 28

M.B. Phirinyane & K.S. Mooketsane, “Governance in the Health Sector Procurement: The Role of Public and Private Practitioners in Botswana” in S.N. Nyeck (ed) *Public*

*Procurement Reform and Governance in Africa* (New York: Palgrave Macmillan, 2016)  
277

## **EGYPT**

### **Articles and Essays in Edited Collections**

M.A.M. Ismail, "Legal Globalization and PPPs in Egypt: An Analytical and Comparative Perspective on the Current Legislative and Judicial Modifications to and Enhancements of the Administrative Contractual Regime on PPP Transactions" (2010) 5 *European Public Private Partnership Law* 54

A.Y. Zohny, "Egypt's Procurement Regime and Building an Export Oriented Economy" (2003) 18 *Arab Law Quarterly* 169

## **ETHIOPIA**

### **Articles and Essays in Edited Collections**

B.A. Ambaw & J. Telgen, "The Practice of Performance-Based Contracting in Developing Countries' Public Procurement: the Case of Ethiopia", (2017) 17 *Journal of Public Procurement* 402

T.H. Bahta, "Conflicting Legal Regimes Vying for Application: The Old Administrative Contracts Law or the Modern Public Procurement Law for Ethiopia", (2017) 4 *African Public Procurement Law Journal* 1 (<http://applj.journals.ac.za/pub/article/view/23>)

T.H. Bahta, "Framework procurement contracts in the Ethiopian public procurement law", (2016) 25 *Public Procurement Law Review* 35



T.H. Bahta, "The Regulatory Framework for Public Procurement in Ethiopia" in G. Quinot & S. Arrowsmith (eds) *Public Procurement Regulation in Africa* (Cambridge University Press, 2013) 56

T.H. Bahta, "Complaints, review and remedies under the Federal Government Procurement Law in Ethiopia" (2012) 21 *Public Procurement Law Review* 188

T.H. Bahta, "Adjudication and Arbitrability of Government Construction Contract Disputes in Ethiopia" (2009) 3 *Mizan Law Review* 1

D. Rene, "Administrative Contracts in The Ethiopian Civil Code" Vol iv(1) *Journal of Ethiopian Law* 143 (translated into English by Michael Kindred)

## **GAMBIA**

### **Articles and Essays in Edited Collections**

W.A. Wittig & H. Jeng, "Challenges in Public Procurement: Comparative Views of Public Procurement Reform in Gambia" in K.V. Thai, et al (eds.) *Challenges in Public Procurement: An International Perspective (Volume 3)* (Boca Raton, FL: PrAcademics Press, 2005) 21

## **GHANA**

### **Books and Dissertations**

D.N. Dagbanja, *The Law of Public Procurement in Ghana* (Saarbrücken: LAP Lambert Academic Publishing, 2011)

### **Articles and Essays in Edited Collections**

D.N. Dagbanja, "The public procurement complaint and administrative review mechanism in Ghana" in S. Williams-Elegbe & G. Quinot (eds) *Public Procurement Regulation for 21<sup>st</sup> Century Africa* (Cape Town: Juta, 2018) 271

D.N. Dagbanja "The Regulatory Framework for Public Procurement in Ghana" in G. Quinot & S. Arrowsmith (eds) *Public Procurement Regulation in Africa* (Cambridge University Press, 2013) 95

A. Engelbert, "Anti-Corruption Elements in the Ghanaian Public Procurement Law" (2015) 2 *African Public Procurement Law Journal* 29

D. Ofosu-Dorte, I. Boaten & F. Adadzi "Ghana" in H-J. Prieß, (ed.), *Getting the Deal Through: Public Procurement 2010* (London: Law Business Research Ltd, 2010) 115

R. Verhage, J. v.d. Gronden, K. Awanyo & S. Boateng, "Procurement Reform in the Ghana Health Sector" (2002) 2 *Journal of Public Procurement* 261

## **KENYA**

### **Books and Dissertations**

C. Achieng & P. Kariuki, *Public Procurement and Disposal* (Saarbrücken: LAP Lambert Academic Publishing, 2013)

### **Articles and Essays in Edited Collections**

J.M.M. Akech, "Development Partners and Governance of Public Procurement in Kenya: Enhancing Democracy in the Administration of Aid" (2005) 37 *New York University Journal of International Law and Politics* 829

H. Amadi, "The Governance of Concessionary Assets: A Review of the Partnership Between Kenya and the Rift Valley Railways Consortium" in S.N. Nyeck (ed) *Public Procurement Reform and Governance in Africa* (New York: Palgrave Macmillan, 2016) 313

V. Mosoti, "Reforming the Laws on Public Procurement in the Developing World: The Example of Kenya" (2005) 54 *International Commercial Law Quarterly* 621

M. Nyaoga & C. Odhiambo, "Kenya" in H-J. Prieß, (ed.), *Getting the Deal Through: Public Procurement 2010* (London: Law Business Research Ltd, 2010) 152

M. Nyaoga & C. Odhiambo, "Kenya" in H-J. Priess, (ed.), *Getting the Deal Through: Public Procurement 2009: Public Procurement: an Overview of Regulation in 43 Jurisdictions Worldwide* (London: Law Business Research Ltd, 2009) 136

M. Ogot, M. Mulinge and R. Muriuki, "Impact of Public Procurement Law in Profit-Oriented State-Owned Corporations in Kenya" in K.V. Thai (ed.), *Towards New Horizons in Public Procurement* (Florida: PrAcademics Press, 2010) 372

M. Thiankolu "Reconciling Incongruous Policy Objectives and Benchmarking Kenya's Public Procurement Law: A Review of the Selex Case" (2011) 11 *Journal of Public Procurement* 460.

K.T. Udeh "The Regulatory Framework for Public Procurement in Kenya" in G. Quinot & S. Arrowsmith (eds) *Public Procurement Regulation in Africa* (Cambridge University Press, 2013) 126

K.T. Udeh "A Critical Appraisal of Kenya's Supplier Review System in the Light of International Standards" (2013) 22 *Public Procurement Law Review* 183

### **Notes**

J.M.M. Akech, "Development Partners and Governance of Public Procurement in Kenya: Enhancing Democracy in the Administration of Aid" (2006) 3 *International Law and Justice Working Paper* [Global Administrative Law Series [www.iilj.org](http://www.iilj.org)]

### **LESOTHO**

#### **Articles and Essays in Edited Collections**

F. Darroch, "The Lesotho Corruption Trials – A Case Study" (2003) 29 *Commonwealth Law Bulletin* 901

**LIBERIA****Articles and Essays in Edited Collections**

D. Ofosu-Dorte, I. Boaten & F. Adadzi “Liberia” in H. Prieß, (ed.), *Getting the Deal Through: Public Procurement 2010* (London: Law Business Research Ltd, 2010) 163

**MALI****Notes**

J. Ruche & E. Garandeanu, “The Mali Donors' Public Procurement Procedures: Towards Harmonisation with the National Law” *Study Report for the OECD Development Assistance Committee*  
<http://www.oecd.org/dac/effectiveness/2488727.pdf>

**NAMIBIA****Books and Dissertations**

E.N. Kuugongelwa, *A Critical Analysis of Namibia's Public Procurement Supplier Remedies Regulatory Framework: Introducing the Standstill Period* (2015) LLM thesis, Stellenbosch University

U. Maamberua, *The Importance of Public Procurement Law to Socio-Economic Development with Special Reference to Namibia*, (2005), LLM thesis, University of Namibia  
<http://repository.unam.edu.na/bitstream/handle/11070/1634/maamberua2005.pdf?sequence=1&isAllowed=y>

**Articles and Essays in Edited Collections**

S.K. Amoo & S. Dicken “The Regulatory Framework for Public Procurement in Namibia” in G. Quinot & S. Arrowsmith (eds) *Public Procurement Regulation in Africa* (Cambridge University Press, 2013) 156

E.N. Kuugongelwa, "Supplier remedies under Namibia's Public Procurement Act 15 of 2015" in S. Williams-Elegbe & G. Quinot (eds) *Public Procurement Regulation for 21<sup>st</sup> Century Africa* (Cape Town: Juta, 2018) 255

E.N. Kuugongelwa "A Critical Analysis of Namibia's Public Procurement Supplier Remedies Regulatory Framework: Introducing the Standstill Period" (2015) 2(1) *African Public Procurement Law Journal* 59

A. Schimdt 'The need to reform the Namibian public procurement system: A comment on the Neckartal Dam saga' (2014) 6 *Namibia Law Journal* 46

### **Notes**

F. Links & C. Daniels "The Tender Board: Need for Root and Branch Reform" *Anti-Corruption Research Programme Paper 3* (2011)

E. Tjirera "Public Procurement in Namibia: The Role of Codes of Conduct in Reducing Corruption" *Anti-Corruption Research Programme Paper 3* (2011)

## **NIGERIA**

### **Books and Dissertations**

A.E. Arimoro, *The role of law in the successful completion of public-private partnership projects in Nigeria: lessons from South Africa* (2018) PhD thesis. University of Cape Town (<https://open.uct.ac.za/handle/11427/30026>).

K.T. Udeh, *A comparative study of the effectiveness of bidder remedies in South Africa and Nigeria*, (2018), LLD thesis, Stellenbosch University (<http://scholar.sun.ac.za/handle/10019.1/103274>)

### **Articles and Essays in Edited Collections**

T.O. Akenroye, A.S. Oyegoke & A.B. Eyo "Development of a framework for the implementation of green public procurement in Nigeria" 6 (2013) *International Journal of Procurement Management* 1

E. Anderson, M.T. Page & T. Keatinge, "Weaponising transparency: Nigerian defence procurement reform as a counterterrorism strategy" in S. Williams-Elegbe & G. Quinot (eds) *Public Procurement Regulation for 21<sup>st</sup> Century Africa* (Cape Town: Juta, 2018) 179

A. Arimoro "Legal Framework For Public-Private Partnership: South Africa and Nigeria in Focus" (2018) 5 *University of Maiduguri Journal of Public Law* 89

A.J. Osuntogun, "Procurement Law in Nigeria: Challenges in Attaining its Objectives" (2012) 21 *Public Procurement Law Review* 139

G. Oyebode & O. Fayokun, "Nigeria" in H-J. Prieß, (ed.), *Getting the Deal Through: Public Procurement 2010* (London: Law Business Research Ltd, 2010) 185

O. Soyaju, "Legal framework for public private partnership in Nigeria" (2013) 46 *De Jure* 814

K.T. Udeh & L. Ahmadu "The Regulatory Framework for Public Procurement in Nigeria" in G. Quinot & S. Arrowsmith (eds) *Public Procurement Regulation in Africa* (Cambridge University Press, 2013) 182

K.T. Udeh, "Social Accountability Mechanisms and Public Procurement Reform in Nigeria" in S.N. Nyeck (ed) *Public Procurement Reform and Governance in Africa* (New York: Palgrave Macmillan, 2016) 235

K.T. Udeh, "Nigerian National Council on Public Procurement: Addressing the unresolved legal issues" (2015) 2(1) *African Public Procurement Law Journal* 1

S. Williams, "The Development of Defence Procurement Policy in Nigeria and the Case for Reform" (2005) 14 *Public Procurement Law Review* 153

S. Williams-Elegbe, "The Reform and Regulation of Public Procurement in Nigeria" (2012) 41 *Public Contract Law Journal* 339

S. Williams-Elegbe "A comparative analysis of the Nigerian Public Procurement Act with International Best Practice" (2015) 59 (1) *Journal of African Law* 85

S. Williams-Elegbe, "An Introduction to Health Care Procurement in Nigeria and its Relationship to Development" (2015) 1 *Unilag Journal of Humanities* 1

### **Notes**

S. Ekpenkhio, "Public Sector Procurement Reforms: The Nigerian Experience" paper presented to Regional Workshop on Procurement Reforms and Transparency in Government Procurement for Anglophone Countries, Tanzania, January 16, 2003

## **RWANDA**

### **Articles and Essays in Edited Collections**

I. Rugema "The Regulatory Framework for Public Procurement in Rwanda" in G. Quinot & S. Arrowsmith (eds) *Public Procurement Regulation in Africa* (Cambridge University Press, 2013) 210

F. Zigirinshuti, "Rwanda" in R. Noguellou & U. Stelkens, (eds.), *Droit comparé des Contrats Publics/ Comparative Law on Public Contracts* (Brussels: Bruylant, 2010) 858

## **SOUTH AFRICA**

### **Books and Dissertations**

A.M. Anthony, *The legal regulation of construction procurement in South Africa*, (2013), LLM thesis, Stellenbosch: Stellenbosch University

A.M. Anthony, *The Legal Regulation of Construction Procurement as a Relational Construct in South Africa*, (2018), LLD thesis, Stellenbosch University (<http://scholar.sun.ac.za/handle/10019.1/103815>)

A.E. Arimoro, *The role of law in the successful completion of public-private partnership projects in Nigeria: lessons from South Africa* (2018) PhD thesis. University of Cape Town (<https://open.uct.ac.za/handle/11427/30026>).

P. Bolton, *The Law of Government Procurement in South Africa* (Durban: LexisNexis Butterworths, 2007)

S.P. le R. de la Harpe, *Public Procurement Law: A Comparative Analysis*, (2009), LLD thesis, University of South Africa (<http://uir.unisa.ac.za/handle/10500/3848>)

T.E. Manchidi & I. Hammond, *Targeted Procurement in the Republic of South Africa: An Independent Assessment* (International Labour Organisation, 2002)

G. Quinot, *State Commercial Activity: A Legal Framework* (Cape Town: Juta & Co, 2009)

J. Sylvester, *Legislative Control over the Military: A Critical Analysis of the Strategic Arms Package*, (2006), MA thesis, Cape Town: University of Cape Town

K.T. Udeh, *A comparative study of the effectiveness of bidder remedies in South Africa and Nigeria*, (2018), LLD thesis, Stellenbosch University (<http://scholar.sun.ac.za/handle/10019.1/103274>)

### **Articles and Essays in Edited Collections**

A.O. Agyepong & G. Nhamo "Green procurement in South Africa: perspectives on legislative provisions in metropolitan municipalities" (2017) 19 *Environment, Development and Sustainability* 2457



A. Anthony, "Construction procurement in South Africa: Capacity for procurement law or procurement law for capacity" in S. Williams-Elegbe & G. Quinot (eds) *Public Procurement Regulation for 21<sup>st</sup> Century Africa* (Cape Town: Juta, 2018) 225

A. Anthony, "The Use of E-procurement in South African Public Procurement Law: Challenges and Prospects" (2018) 22 *Law, Democracy & Development* 39

A. Anthony, "Best Practice in South African Construction Procurement Law" in K.V. Thai (ed) *Global Public Procurement Theories and Practices* (Springer, 2016) 291

A. Arimoro "Legal Framework For Public-Private Partnership: South Africa and Nigeria in Focus" (2018) 5 *University of Maiduguri Journal of Public Law* 89

P. Bolton, "Public Procurement as a Tool to Drive Innovation in South Africa" 2016 (19) *Potchefstroom Electronic Law Journal* (<https://doi.org/10.17159/1727-3781/2016/v19i0a1286>)

P. Bolton, "Disqualification for non-compliance with public tender conditions" (2014) 17(6) *Potchefstroom Electronic Law Journal* 2314 (<https://journals.assaf.org.za/index.php/per/article/view/1286>)

P. Bolton, "An Analysis of the Criteria Used to Evaluate and Award Public Tenders" (2014) *Speculum Juris* 1 (<http://www.speculumjuris.co.za/files/pdf/SJ0714P.pdf>)

P. Bolton, "The Regulatory Framework for Public Procurement in South Africa" in G. Quinot & S. Arrowsmith (eds) *Public Procurement Regulation in Africa* (Cambridge University Press, 2013) 232

P. Bolton, "Municipal Tender Awards and Internal Appeals by Unsuccessful Bidders" (2010) 13:3 *Potchefstroom Electronic Law Journal* 1

P. Bolton, "The Regulation of Preferential Procurement in State-owned Enterprises" (2010) *Journal of South African Law* 101

P. Bolton, "Afrique du Sud/South Africa" in R. Noguellou & U. Stelkens, (eds.), *Droit comparé des Contrats Publics/ Comparative Law on Public Contracts* (Brussels: Bruylant, 2010) 281

P. Bolton, "South Africa" in H-J. Prieß, (ed.), *Getting the Deal Through: Public Procurement 2010* (London: Law Business Research Ltd, 2010) 227

P. Bolton, "Overview of the Government Procurement System in South Africa" in K.V. Thai, (ed.), *International Handbook of Public Procurement* (Boca Raton, FL: Taylor and Francis, 2009) 357

P. Bolton, "The Status of Contracts Exceeding a Municipal Tender Call" 2009 *Journal of South African Law* 382

P. Bolton, "The Committee System for Competitive Bids in Local Government" (2009) 12(2) *Potchefstroom Electronic Law Journal* 56

P. Bolton, "Protecting the Environment through Public Procurement: the Case of South Africa" (2008) 32(1) *Natural Resources Forum* 1

P. Bolton, "Incorporating Environmental Considerations into Government Procurement in South Africa" 2008 *Journal of South African Law* 31

P. Bolton, "The Public Procurement System in South Africa: Main Characteristics" (2008) 37 *Public Contract Law Journal* 781

P. Bolton, "An Analysis of the Preferential Procurement Legislation in South Africa" (2007) 16 *Public Procurement Law Review* 36

P. Bolton, "The Exclusion of Contractors from Government Contract Awards" (2006) 10 *Law, Democracy and Development* 25

P. Bolton, "Grounds for Dispensing with Public Tender Procedures in Government Contracting" (2006) 9(2) *Potchefstroom Electronic Law Journal* 1

P. Bolton, "Scope for Negotiating and / or Varying the Terms of Government Contracts Awarded by Way of a Tender Process" (2006) 17 *Stellenbosch Law Review* 266

P. Bolton, "Government Procurement as a Policy Tool in South Africa" (2006) 6 *Journal of Public Procurement* 193

P. Bolton, "Government Contracts and the Fettering of Discretion – A Question of Validity" (2004) 19 *South African Public Law* 90

P. Bolton, "Government Dealings and the Intention to Create Legal Relations" (2004) 16 *South African Mercantile Law Journal* 196

P. Bolton, "The Use of Government Procurement as an Instrument of Policy" (2004) 121 *South African Law Journal* 619

P. Bolton & G. Quinot, "Social Policies in Procurement and the Government Procurement Agreement: a Perspective from South Africa" in S. Arrowsmith & R.D. Anderson (eds) *The WTO Regime on Government Procurement: Recent Developments and Challenges Ahead* (Cambridge University Press, 2011) 459

M. Brooks, "The Legality of Centralised Public Procurement in South Africa" (2016) 3(1) *African Public Procurement Law Journal* 42  
(<http://applj.journals.ac.za/pub/article/view/18>)

D.C. Campbell, "US Firms and Black Labour in South Africa: Creating a Structure of Change" (1986) 7 *Journal of Labour Research* 1

D.D. Caron, "The Structure and Pathologies of Local Selective Procurement Ordinances: A Study of Apartheid-Era South Africa Ordinances" (2003) 21 *Berkeley Journal of International Law* 159

R. Cachalia, "Government Contracts in South Africa: Constructing the Framework" (2016) 27(1) *Stellenbosch LR* 88

S. De la Harpe, "The use of civil activism in combating corruption in public procurement: A South African perspective" in S. Williams-Elegbe & G. Quinot (eds) *Public Procurement Regulation for 21<sup>st</sup> Century Africa* (Cape Town: Juta, 2018) 119

S. De la Harpe, "Substantive and Objective Criteria in Preferential Public Procurement: The Case of the 2011 Regulations in South Africa" in S.N. Nyeck (ed) *Public Procurement Reform and Governance in Africa* (New York: Palgrave Macmillan, 2016) 97

S. De la Harpe, "Combating corruption in public procurement: *Glenister v President of the Republic of South Africa*" (2013) 3 *Int. J. of Public Law and Policy* 395

S. De la Harpe, "Regional cooperation in public procurement: A South African perspective" (2012) 2 *SADC Law Journal* 223

S. De la Harpe, "The Use of Electronic Reverse Auctions in Public Procurement in South Africa" (2012) 26 *Speculum Juris* 21

S. De la Harpe, "Green Public Procurement – An Option for South Africa?" (2008) 22 *Speculum Juris* 53

G. Devenish, "The Legal and Constitutional Position of the Tender Board in KwaZulu-Natal and Related matters" 1998 *Journal of South African Law* 398

J. Dohrman & J. Aiello, "Public-Private Partnerships for Waste Management: Challenges for Policies and Procedures" (1999) 16 *Development South Africa* 691

M. Du Plessis & A. Coutsoudis, "Considering corruption through the *AllPay* lens: On the limits of judicial review, strengthening accountability, and the long arm of the law" (2016) 133(4) *South African Law Journal* 755

C. Ferreira "The Quest for Clarity: An Examination of the Law Governing Public Contracts" (2011) 128 *South African Law Journal* 172

R. Ferreira & I. Liebenberg, "Civil-Military Relations and arms Procurement in South Africa: 1994-2002" (2004) 35 *Society in Transition* 61

C. Helmrich "Equality-Oriented Horizontal Policies in South African Public Procurement" (2014) 1 *African Public Procurement Law Journal* 61

B.M. Jackson & M. Hlahla, "South Africa's Infrastructure Delivery Needs: The Role and Challenge for Public-Private Partnerships" (1999) 16 *Development South Africa* 551

F.S. Jenkins, "Decentralization and Accountability Challenges to Appointing Independent Bid Committees in the Public Sector" in S.N. Nyeck (ed) *Public Procurement Reform and Governance in Africa* (New York: Palgrave Macmillan, 2016) 157

U. Kollamparambil, "The amended Government Procurement Agreement: challenges and opportunities for South Africa" (2014) 18 *Law, Democracy, and Development* 202

G. Kramer, "Electronic Public Procurement as a Tool of Reform in South African Public Procurement" (2016) 3(1) *African Public Procurement Law Journal* 1 (<http://applj.journals.ac.za/pub/article/view/16>)

J-P. Labuschagne, "Public-Private Partnerships in the Health Industry" (1998) 15 *Development South Africa* 133

J. Laing, "The standstill period in South African public procurement" in S. Williams-Elegbe & G. Quinot (eds) *Public Procurement Regulation for 21<sup>st</sup> Century Africa* (Cape Town: Juta, 2018) 237

J. Laing, "Deviations and (In)discretions in the Governance of South African Public Entities" in S.N. Nyeck (ed) *Public Procurement Reform and Governance in Africa* (New York: Palgrave Macmillan, 2016) 131

D. Letchmiah, "The Process of Public Sector Procurement Reform in South Africa" (1999) 8 *Public Procurement Law Review* 15

T. Makube, "Economic and legal perspectives on the use of horizontal policy procurement policies to drive industrial development and economic transformation in South Africa" in S. Williams-Elegbe & G. Quinot (eds) *Public Procurement Regulation for 21<sup>st</sup> Century Africa* (Cape Town: Juta, 2018) 79

C. McCrudden, "Social Policy Choices and the International and National Law of Government Procurement: South Africa as a Case Study" in H. Corder, (ed.), *Global Administrative Law* (Cape Town: Juta & Co, 2009) 123

J.C. Pauw & J.S. Wolvaardt, "Multi-criteria Decision Analysis in Public Procurement – A Plan from the South" (2009) 28 *Politeia* 66

G. Penfold, and P. Reyburn, "Public Procurement" in S. Woolman, T. Roux, J. Klaaren, A. Stein, M. Chaskalson and M. Bishop, (eds.), *Constitutional Law of South Africa* 2 ed (Cape Town: Juta & Co, 2008) 25-1

M.R. Phooko, "'Flaws' in public procurement not synonymous with 'irregularities': a guide to determining irregularities that are sufficient to invalidate a contract" (2014) 4 *Int. J. of Public Law and Policy* 352

C. Plasket, "Tendering for Government Contracts: Public Procurement and Judicial Review" in G. Glover, (ed.), *Essays in Honour of AJ Kerr* (Durban: LexisNexis Butterworths, 2006) 159

G. Quinot "The Third Wave of Preferential Procurement Regulations in South Africa" (2018) *Journal of South African Law* 856-867

G. Quinot "Control and litigation in public contracts in South Africa" in L Folliot Lalliot & S Torricelli (eds) *Contrôles et contentieux des contrats publics – Oversight and Challenges of public contracts* (Brussels: Bruylant, 2018) 225

G. Quinot "In-house provisioning and South African public procurement law" (2014) 39 *Journal for Juridical Science* 115

G. Quinot "The Role of Quality in the Adjudication of Public Tenders" (2014) 17:3 *Potchefstroom Electronic Law Journal* 1110 (<http://dx.doi.org/10.4314/pej.v17i3.08>)

G. Quinot "Enforcement of Procurement Law from a South African Perspective" (2011) 20 *Public Procurement Law Review* 193

G. Quinot, "Towards Effective Judicial Review of State Commercial Activity" (2009) *Journal of South African Law* 436

G. Quinot, "Worse than Losing a Government Tender: Winning It" (2008) 19 *Stellenbosch Law Review* 101

R. Roos & S. De La Harpe, "Good Governance in Public Procurement: A South African Case Study" (2008) 11(2) *Potchefstroom Electronic Law Journal* 1

C.Scott & P. Macklem, "Constitutional Ropes of Sand or Justiciable Guarantees? Social Rights in a New South African Constitution" (1992) 141 *University of Pennsylvania Law Review* 1

P. Sewpersadh & J.C. Mubangizi, "Using the law to combat public procurement corruption in South Africa: Lessons from Hong Kong" 2017 (20) *PER/PELJ* 1 (<http://dx.doi.org/10.17159/1727-3781/2017/v20n0a1359>)

P. Sewpersadh & Mubangizi, J.C., "Tender irregularities and corruption in South Africa: The need to revisit issues of evidence" (2016) 29(3) *South African Journal of Criminal Justice* 292

M. Sinclair, "Regulation and Facilitation of Public-Private Partnerships: the MSP Policy" (1999) 16 *Development Southern Africa* 585

J.C. Sonnekus, "Procurement contracts and underlying principles of the law – no special dispensation for organs of state (part 1 – the principles)" 2014 *Journal of South African Law* 320

J.C. Sonnekus, "Procurement contracts and underlying principles of the law – no special dispensation for organs of state (part 2 – developing the common law, consequences and remedies)" 2014 *Journal of South African Law* 536

N. Steytler, and J. De Visser, *Local Government Law of South Africa* (Durban: LexisNexis Butterworths, 2007) chapter 14

J. Sylvester & A. Seegers, "South Africa's strategic arms package: a critical analysis" (2008) 36:1 *Scientia Militaria* 52-77

K.T. Udeh "Viability of Bidder Remedies under Section 62 of the South African Municipal Systems Act" (2016) 3:2 *African Public Procurement Law Journal* 72-92 (<http://applj.journals.ac.za/pub/article/view/12>)

H. Van As, "The Right to Information and the Tender Process" (1999) 34 *Journal of Public Administration* 257

K. Van Vuuren & J.A. Badenhorst-Weiss, "South African Provincial Government Reform: Using a Shared Services Model to Transform 'Back-Office' Support in

Gauteng Province” in L. Knight, C. Harland, J. Telgen, K.V. Thai, G. Callender & K. McKen (eds.), *Public Procurement: International Cases and Commentary* (London: Routledge, 2007) 278

P. Volmink, "Legal consequences of non compliance with bid requirements" (2014) 1 *African Public Procurement Law Journal* 41

M. Von Broembsen, "Procurement Policy Subversion in Contracts between South African Retailers and Suppliers" in S.N. Nyeck (ed) *Public Procurement Reform and Governance in Africa* (New York: Palgrave Macmillan, 2016) 77

R. Watermeyer, "The Use of Targeted Procurement as an Instrument of Poverty Alleviation and Job Creation in Infrastructure Projects" (2000) 9 *Public Procurement Law Review* 226

R. Watermeyer, "Facilitating Sustainable Development through Public and Donor Procurement Regimes: Tools and Techniques" (2004) 13 *Public Procurement Law Review* 30

J.A. Wessels, "Green procurement" in A. Du Plessis (ed.) *Environmental Law and Local Government in South Africa* (Cape Town: Juta, 2015) 939

S. Williams, & G. Quinot, "Public Procurement and Corruption: The South African Response" (2007) 124 *South African Law Journal* 339

S. Williams, & G. Quinot, "To Debar or not to Debar: When to Endorse a Contractor on the Register for Tender Defaulters" (2008) 125 *South African Law Journal* 248

S. Williams, "The Use of Exclusions for Corruption in Developing Country Procurement: The Case of South Africa" (2007) 51 *Journal of African Law* 1

### **Notes**

A.M. Anthony, "Public Procurement" 2018 *Juta's Quarterly Review of South African Law*



P. Bolton, "New Preferential Procurement Regulations Released" (2011) 13 *Local Government Bulletin* 7

P. Bolton, "Tender Awards in the Spotlight: Limitations of Internal Appeal Procedures" (2010) 12(3) *Local Government Bulletin* 18

P. Bolton, "The Different Hats Worn by the Municipal Manager in the Tender / Bid Process" (2010) 12(2) *Local Government Bulletin* 10

P. Bolton, "Checks and Balances: Service Delivery by External Providers" (2010) 12(1) *Local Government Bulletin* 15

P. Bolton, "Notifying the Correct Bidder of its Success" (2009) 11(5) *Local Government Bulletin* 25

P. Bolton, "The Roles and Functions of Bid Committees" (2009) 11(4) *Local Government Bulletin* 19

P. Bolton, "The Municipal Manager's Supervisory Role over Bid Committees" (2009) 11(2) *Local Government Bulletin* 26

P. Bolton, "When can Bidders with Bad Track Records be Rejected?" (2009) 11(1) *Local Government Bulletin* 22

P. Bolton, "Who Excludes Bidders from Future Contracts?" (2008) 10(5) *Local Government Bulletin* 22

P. Bolton, "Supply Chain Management and Public-Private Partnership Provisions" (2004) 6(4) *Local Government Bulletin* 4

B.M. Jackson, & M. Hlahla, "South Africa's Infrastructure Service Delivery Needs: The Role and Challenge for Public-Private Partnerships" (1999) 16 *Development Southern Africa* 1

V. Johnson, "Service Delivery Agreements: Who Reads Them?" (2005) 7(2) *Local Government Bulletin* 7

G. Mawoneke, "The PPP Procurement Process" (2005) 7(3) *Local Government Bulletin* 11

D. McMeekin, "State Procurement: The Public / Private Divide" 2009 *Responsa Meridiana* 35

A. Molver & K. Harding "The Procurement Dilemma at the End of the Rainbow" (February 2014) *Without Prejudice* 40

N. Muvangua, "Tokenism and the Constitutional Court Finding on Viking Pony Africa Pumps Africa and Hidro-Tech Systems (Pty) Ltd and City of Cape Town" 2010 (Center for Constitutional Rights) <http://www.polity.org.za/article/okenism-and-the->

constitutional-court-finding-on-viking-pony-africa-pumps-pty-ltd-ta-tricom-africa-and-hidro-tech-systems-pty-ltd-and-city-of-cape-town-2010-11-29

G. Quinot, "The Need for Unified Legislation in Public Procurement" 2014 *SmartProcurement Review* 36

G. Quinot, "Public Procurement" 2017 *Juta's Quarterly Review of South African Law*

G. Quinot, "Public Procurement" 2016 *Juta's Quarterly Review of South African Law*

G. Quinot, "Public Procurement" 2015 *Juta's Quarterly Review of South African Law*

G. Quinot, "Public Procurement" 2014 *Juta's Quarterly Review of South African Law*

G. Quinot, "Public Procurement" 2013 *Juta's Quarterly Review of South African Law*

G. Quinot, "Public Procurement" 2012 *Juta's Quarterly Review of South African Law*

G. Quinot, "Public Procurement" 2011 *Juta's Quarterly Review of South African Law*

G. Quinot, "Public Procurement" 2010 *Juta's Quarterly Review of South African Law*

G. Quinot, "Public Procurement" 2009 *Juta's Quarterly Review of South African Law*

G. Quinot, "Public Procurement" 2008 *Juta's Quarterly Review of South African Law*

F. Venter, "Competitive Tendering: A Perspective on PPP / PFI from the Mangaung Maximum Security Prison, South Africa" (2003) *Prison Service Journal* 149

P.J. Visser, "Damages Recoverable for Prospective Loss of Profit Caused by non-awarding of a tender – *Transnet Ltd v Sechaba Photoscan (Pty) Ltd* 2005 1 SA 299 (SCA)" (2005) 68 *Journal of Contemporary Roman Dutch Law* 510

## **SIERRA LEONE**

### **Notes**

F.J. Elliott, "Procurement Reform in Sierra Leone: A Public Choice Model of Analysis" (2004) 3 *International Public Procurement Conference Proceedings* 189

## **UGANDA**

### **Books and Dissertations**

F. Ssenego, *Discriminatory Public Procurement Policies*, (2010), PhD Thesis, University of Twente

**Articles and Essays in Edited Collections**

E. Agaba & N. Shipman, "Procurement Systems in Uganda" in K.V. Thai, (ed.), *International Handbook of Public Procurement* (Boca Raton, FL: Taylor and Francis, 2009) 393

B.C. Basheka, M. Tumutegyereize and E. Agaba "Public Procurement Capacity Building Reform Initiatives in Uganda: A Performance Measurement Approach" in K.V. Thai (ed.), *Towards New Horizons in Public Procurement* (Boca Raton, FL: PrAcademics Press, 2010) 60

J.M. Ntayi, I. Namugenyi and S. Eyeaa, "Supplier Delivery Performance in Ugandan Public Procurement Contracts" (2010) 4 *Journal of Public Procurement* 479

N. Shipman & E. Agaba, "Public Procurement Reform in Developing Countries: The Uganda Experience", ch.16 in G. Piga and K.V. Thai (eds), *Advancing Public Procurement: Practices, Innovation and Knowledge-sharing* (Boca Raton, FL: PrAcademics Press, 2007) 373

S. Wanyama, "History and Evolution of Public Procurement Reforms in Uganda" in S.N. Nyeck (ed) *Public Procurement Reform and Governance in Africa* (New York: Palgrave Macmillan, 2016) 203

**ZIMBABWE****Articles and Essays in Edited Collections**

J. Zowa, N. Machingauta & P. Bolton "The Regulatory Framework for Public Procurement in Zimbabwe" in G. Quinot & S. Arrowsmith (eds) *Public Procurement Regulation in Africa* (Cambridge University Press, 2013) 260

J. Tsabora, "Public Procurement in Zimbabwe: Law, Policy and Practice" (2014) 1 *African Public Procurement Law Journal* 1 (<http://dx.doi.org/10.14803/1-1-2>)