

# **PUBLIC PROCUREMENT REGULATION IN AFRICA BIBLIOGRAPHY**

**APLU**

**(2023) 10 APPLJ 83**

## **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 2023.

**PUBLIC PROCUREMENT REGULATION IN AFRICA  
BIBLIOGRAPHY  
2023**

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, *Public-Private Partnerships in Emerging Economies* (London: Routledge, 2020)

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

N. Dorasamy, "An Overview of Public Procurement, Corruption, and Governance in Africa" in N. Dorasamy & O. Fagbadebo (eds) *Public Procurement, Corruption and the Crisis of Governance in Africa* (Palgrave Macmillan, 2021) 21

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

D.N. Dagbanja, "The limitations of investment treaties and arbitration on public procurement regulatory autonomy" in G. Quinot & S. Williams-Elegbe (eds) *Public Procurement Regulation in Africa: Development in Uncertain Times* (Durban: LexisNexis, 2020) 287

A. Eyo, "Framework agreements in public procurement in Africa: Progress and limitations" in G. Quinot & S. Williams-Elegbe (eds) *Public Procurement Regulation in Africa: Development in Uncertain Times* (Durban: LexisNexis, 2020) 317

O. Fagbadebo & N. Dorasamy, "Good Governance and the Prospect of Sustainable Growth and Development in Africa" in N. Dorasamy & O. Fagbadebo (eds) *Public Procurement, Corruption and the Crisis of Governance in Africa* (Palgrave Macmillan, 2021) 287

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

L. Folliot Lalliot, "Adapting Procurement Reforms in a Disruptive Environment" in G. Quinot & S. Williams-Elegbe (eds) *Public Procurement Regulation in Africa: Development in Uncertain Times* (Durban: LexisNexis, 2020) 11

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 21st 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, "Some African Responses to Public Procurement for and during COVID-19" (2020) 30 *Public Procurement Law Review* 232

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

T. Stoffel, C. Cravero, A. La Chimia, and G. Quinot "Multidimensionality of Sustainable Public Procurement (SPP)—Exploring Concepts and Effects in Sub-Saharan Africa and Europe" (2019) 11:22, 6352 *Sustainability*, 1-23

C. Swan & B. Manka, "Risky business: Does debarring poor performers mitigate future performance risk?" in G. Quinot & S. Williams-Elegbe (eds) *Public Procurement Regulation in Africa: Development in Uncertain Times* (Durban: LexisNexis, 2020) 129

L.F.J. Swensson, "Aligning policy and legal frameworks for supporting smallholder farming through public food procurement: Literature and practice" in G. Quinot & S. Williams-Elegbe (eds) *Public Procurement Regulation in Africa: Development in Uncertain Times* (Durban: LexisNexis, 2020) 185

K.T. Udeh, "Blueprint for designing an effective bidder remedies regime" in G. Quinot & S. Williams-Elegbe (eds) *Public Procurement Regulation in Africa: Development in Uncertain Times* (Durban: LexisNexis, 2020) 109

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

## **EAST AFRICAN COMMUNITY (EAC)**

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

J.A. Omolo and E.J. Akinyi, "The national treatment rule and the regulation of public procurement under the East African Community common market protocol", (2019) 5(1) *Journal of Corporate and Commercial Law & Practice* 115

**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**

**ANGOLA**

**Articles and Essays in Edited Collections**

R. Mota Cerveira and A.M. Castro, “Angola” in T. Kotsonis (ed.) *Getting the Deal Through: Public Procurement 2018* (London: Law Business Research, 2018) 9

**BENIN**

**Articles and Essays in Edited Collections**

P.T. Hougbo, M. Kishna, M. Zweekhorst, D. Medenou, and J.G.F. Bunder-Aelen, “The Impact of Benin’s First Public Procurement Code and Its Amendment on Healthcare Equipment Acquisition Prices” (2018) 18 *Journal of Public Procurement* 306

**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

E. Bothale, "Infusing Value for Money (VfM) into the Public Procurement System in Botswana" (2017) 17 *Journal of Public Procurement* 281

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

T. Mphela and J.P.W. Shunda, "Can Small, Medium and Micro Enterprises Survive in Public Procurement? Lessons from Botswana" (2018) 18 *Journal of Public Procurement* 90

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

**CAPE VERDE****Articles and Essays in Edited Collections**

R. Mota Cerveira and A.M. Castro, "Cape Verde" in T. Kotsonis (ed.) *Getting the Deal Through: Public Procurement 2018* (London: Law Business Research, 2018) 45

**CAMEROON****Articles and Essays in Edited Collections**

A.A. Ekpombang, "A Critical Appraisal of the Public Procurement System in Cameroon" (2021) *Public Procurement Law Review* 78

**EGYPT****Articles and Essays in Edited Collections**

K.S. Aboelazm, and A. Afandy, "Centralization and decentralization of public procurement: Analysis for the role of General Authority for Governmental Services (GAGS) in Egypt", (2019) 16 *Journal of Advances in Management Research* 262-276. <https://doi.org/10.1108/JAMR-05-2018-0049>

A. El Sharkawy, "Egypt" in J. Delmon and V. Rigby Delmon (eds), *International Project Finance and PPPs: A Legal Guide to Key Growth Markets* 2013 (Alphen aan den Rijn: Walters Kluwer Law and Business, 2012)

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

M.A.M. Ismail, "Innovation in Public Procurement in the Egyptian PPP Legislation (With reference to PPP Legislation in Dubai and Kuwait)" in G.M Racca & C.R. Yukins (eds) *Joint Public Procurement and Innovation: Lessons Across Borders* (Brussel: Bruylant, 2019) 636

S. Kamal, H. El Naggat and L. Abdelrasoul, "Egypt" in T. Kotsonis (ed.) *Getting the Deal Through: Public Procurement 2018* (London: Law Business Research, 2018) 71

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

A.H. Gebremichael, "Complaints Review Mechanisms and Remedies under the Ethiopian Federal Public Procurement System: A Critical Review of the State of Law & Selected Practices" (2021) 8 *African Public Procurement Law Journal* 39

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**

C. Adusei and D. Awunyo-Vitor, "Implementation Challenges of the Public Procurement Act by Selected Metropolitan, Municipal and District Assemblies in the Ashanti Region, Ghana", (2015) 7 *iBusiness* 39

D.N. Dagbanja, "Developments in Sustainable Public Procurement Law and Policy in Ghana and Australia" (2020) *Public Procurement Law Review* 359

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

A. Nyantakyi, "Preparing Today for Prosperity Tomorrow: Using Sustainable Public Procurement as a Tool for Development in Ghana" (2019) 48(2) *Public Contract Law Journal* 377-396

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

K. Osei-Afoakwa, "How the Ghanaian Public Procurement Law Ensures Transparency: The Reminiscences from an Empirical Research" (2012) 2 *Developing Country Studies* 51

E. Osei-Tutu, E. Badu, and D. Owusu-Manu, "Exploring corruption practices in public procurement of infrastructural projects in Ghana", (2010) 3 *International Journal of Managing Projects in Business* 236

E. Osei-Tutu, S. Mensah & C. Ameyaw, "The Level of Compliance with the Public Procurement Act (Act 663) in Ghana" in H. Wamelink, R. Geraedts & L. Volker (eds) *Proceedings of the international Conference on Management and Innovation for a Sustainable Built Environment* (TU Delft, 2011)

E. Sokro & R.M. Agbola, "Rising Above the Tide: Review of Anti-corruption Measures in the Ghanaian Procurement Process" in N. Dorasamy & O. Fagbadebo (eds) *Public Procurement, Corruption and the Crisis of Governance in Africa* (Palgrave Macmillan, 2021) 143

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)

J.K. Mulwa, *Determinants of Implementation of Public Procurement Regulations: A case of head teachers in Migwani District, Kitui County, Kenya* (Saarbrücken: LAP Lambert Academic Publishing, 2012)

N.K. Simon, *Supplier Management and Procurement Performance in Public Institutions* (Saarbrücken: LAP Lambert Academic Publishing, 2015)

M. Thiankolu, *Incongruous Policy Objectives and Kenya's Public Procurement Law* (Saarbrücken: LAP Lambert Academic Publishing, 2014)

### **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

D.M. Gesuka & G.S. Namusonge, "Factors affecting compliance of public procurement regulations in Kenya: A case study of Butere District" (2013) 1 *International Journal of Human Resource and Procurement* 882

M. Makiva, "Public Procurement Oversight and the Scourge of Corruption in the Public Sector: A Comparative Analysis of South Africa and Kenya" in N. Dorasamy & O. Fagbadebo (eds) *Public Procurement, Corruption and the Crisis of Governance in Africa* (Palgrave Macmillan, 2021) 223

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

S. Mutangili, "Effects of Procurement Law on Procurement Performance: A Case of Kenya National Highway Authority" (2019) 3 *Journal of Procurement & Supply Chain* 30

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* 451.

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

T.J. Lebakeng, "Political Polarisation, Compromised Procurement and Poor Service Delivery in the Kingdom of Lesotho" in N. Dorasamy & O. Fagbadebo (eds) *Public*

*Procurement, Corruption and the Crisis of Governance in Africa* (Palgrave Macmillan, 2021) 205

## **LIBERIA**

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

D. Ofofu-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. Garandeau, “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>

## **MOZAMBIQUE**

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

R. Mota Cerveira and A.M. Castro, “Mozambique” in T. Kotsonis (ed.) *Getting the Deal Through: Public Procurement 2018* (London: Law Business Research, 2018) 154

T. Peão Lopes, “Mozambique” in B. Werneck and M. Saadi (eds), *The Public-Private Partnership Law Review*, 3rd edition (London, UK: Law Business Research, 2017) 151

T. Peão Lopes and R. Donato, “Mozambique” in E. Burrows and E. McNeill (eds), *The International Comparative Legal Guide to: Public Procurement 2018 – A practical cross-border insight into public procurement*, 10th edition (London: Global Legal Group., 2018) 123

**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. Kuugongelwa, "The role of procurement in meeting the sustainable development goals: A case study on Namibia" in G. Quinot & S. Williams-Elegbe (eds) *Public Procurement Regulation in Africa: Development in Uncertain Times* (Durban: LexisNexis, 2020) 217

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.A. Abioro, “Public Procurement Corruption and Service Delivery in Nigeria and South Africa” in N. Dorasamy & O. Fagbadebo (eds) *Public Procurement, Corruption and the Crisis of Governance in Africa* (Palgrave Macmillan, 2021) 249

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

A.T. Akujobi, “Integrating Integrity in Procurement: A Review of the Implementation of Public Procurement Act in Nigeria” (2019) 8 *KNUST Law Journal* 143

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

O. Fagbadebo & K.A. Mbada, "Public Procurement Law, Due Process, and Public Sector Corruption in Nigeria: A Review" in N. Dorasamy & O. Fagbadebo (eds) *Public Procurement, Corruption and the Crisis of Governance in Africa* (Palgrave Macmillan, 2021) 165

G. Nwangwu, "The management of risks in the procurement of privately financed infrastructure projects in Nigeria" in G. Quinot & S. Williams-Elegbe (eds) *Public Procurement Regulation in Africa: Development in Uncertain Times* (Durban: LexisNexis, 2020) 271

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

R. Ozigis, "Adapting Nigeria's Whistleblower Policy to Procurement Frauds: A Cue from the False Claims Act's Qui Tam Provision" (2019) 48(2) *Public Contract Law Journal* 337-353

O. Soyeju, "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

**SÃO TOMÉ AND PRÍNCIPE****Articles and Essays in Edited Collections**

R. Mota Cerveira and A.M. Castro, "São Tomé And Príncipe" in T. Kotsonis (ed.) *Getting the Deal Through: Public Procurement 2018* (London: Law Business Research, 2018) 190

**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

**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.M. Anthony, *Construction Procurement Law in South Africa* (Cape Town: Juta; 2023).

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)

P. Sugudhav-Sewpersadh, *Corruption and the Law: An Evaluation of the Legislative Framework for Combating Public Procurement Corruption in South Africa*, (2015) PhD thesis, Durban: University of KwaZulu-Natal

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**

T.A. Abioro, "Public Procurement Corruption and Service Delivery in Nigeria and South Africa" in N. Dorasamy & O. Fagbadebo (eds) *Public Procurement, Corruption and the Crisis of Governance in Africa* (Palgrave Macmillan, 2021) 249

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.M. Anthony, "South African infrastructure procurement under the new Public Procurement Bill" (2020) 7 *African Public Procurement Law Journal* 26

A.M. Anthony "Standard of Care and Liability of Public Procurement Officials: Blessing or Curse?" (2019) 40(3) *Obiter* 140

A.M. Anthony "Subcontracting in Public Procurement – The Impact of the 2017 Preferential Procurement Regulations on the Construction Industry" (2019) 30 *Stellenbosch Law Review* 116

A.M. Anthony "Re-Categorising Public Procurement in South Africa: Construction Works as a Special Case" (2019) 22 *Potchefstroom Electronic Law Journal* 1

(<http://dx.doi.org/10.17159/1727-3781/2019/v22i0a5270>)

- 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

A. Breytenbach, "Green Is the New Gold: Going Green in Public Procurement in South Africa – The Use of Environmental Considerations in the Criteria and Contract Terms of Tender Procedures" (2023) 10(1) *African Public Procurement Law Journal* 1 (<https://applj.journals.ac.za/pub/article/view/57>)

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>)

M. J. Brooks, "The Draft Public Procurement Bill: Encroaching on the Legislature and Local Government" (2020) 7 *African Public Procurement Law Journal* 88

R. Brunette, J. Klaaren & P. Nqaba "Reform in the contract state: Embedded directions in public procurement regulation in South Africa" (2019) 36(4) *Development Southern Africa* 537, DOI: 10.1080/0376835X.2019.1599712

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

R. Cachalia & L. Kohn, "The Quest for 'Reasonable Certainty': Refining the Justice and Equity Remedial Framework in Public Procurement Cases" (2020) 137(4) *South African Law Journal* 659

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. le R. De la Harpe, "Procurement Under the Uncitral Model Law: A Southern Africa Perspective" (2015) 18(5) *Potchefstroom Electronic Law Journal* 1571

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(2) *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

M. du Plessis & M.Z. Suleman, "*Ethekwini Municipality & Others v Westwood Insurance Brokers (Pty) Ltd*: Personal Costs Against Public Officials Through the Lens of *Westwood*" (2021) 138 *South African Law Journal* 731

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

D.J. Fourie "Procurement in the South African public service: a reflection of the ethical and legislative framework" (2015) 4 *Public and Municipal Finance* 38

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

J. Klaaren, "Back to the Drawing Board?: *Afribusines NPC v Minister of Finance* [2020] ZASCH 140 and the Potential for Reconsideration of Preferential Procurement Law & Policy in South Africa" (2021) 8 *African Public Procurement Law Journal* 20

J. Klaaren & R. Brunette, "The Public Procurement Bill needs better enforcement: A suggested provision to empower and incentivise whistle-blowers" (2020) 7 *African Public Procurement Law Journal* 16

L. Kohn "Time to go back to first principles: The constitutionality of the 2017 Procurement Regulations" in G. Quinot & S. Williams-Elegbe (eds) *Public Procurement Regulation in Africa: Development in Uncertain Times* (Durban: LexisNexis, 2020) 55

J. Kola, "The 'local content' concept in public procurement: global trends in the development of public procurement law on the examples of the USA, South Africa and Poland" (2023) 85(1) *Ruch Prawniczy, Ekonomiczny I Socjologiczny* 85  
<https://doi.org/10.14746/rpeis.2023.85.1.08>

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

C. Maas, "The Reform of Public Procurement Remedies: A Domestic and Comparative Analysis" (2020) 7 *African Public Procurement Law Journal* 63

S. Mabece, "The Use of Public Procurement for Socio-Economic Reform in Democratic South Africa: Triumphs and Challenges Two Decades On" (2019) 48(2) *Public Contract Law Journal* 279-313

M.R. Madlanga, "Procurement, Corruption and Their Relevance to, and Impact on, Human Rights" (2019) 28(2) *Public Contract Law Journal* 259-277

M. Makiva, "Public Procurement Oversight and the Scourge of Corruption in the Public Sector: A Comparative Analysis of South Africa and Kenya" in N. Dorasamy & O. Fagbadebo (eds) *Public Procurement, Corruption and the Crisis of Governance in Africa* (Palgrave Macmillan, 2021) 223

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

E. Mantzaris, "Public procurement, tendering and corruption. Realities, challenges and tangible solutions" (2014) 7 *African Journal of Public Affairs* 67

E.A. Mantzaris, "A matter of life and death. Pharmaceutical supply chain and procurement corruption in South Africa" (2019) 11 *African Journal of Public Affairs* 63

A. Maritz, "Gender-responsive public procurement under the Broad-Based Black Economic Empowerment Act: Benefits and challenges" (2022) 9 *African Public Procurement Law Journal* 76

K. Matebese-Notshulwana, "Weak Procurement Practices and the Challenges of Service Delivery in South Africa" in N. Dorasamy & O. Fagbadebo (eds) *Public Procurement, Corruption and the Crisis of Governance in Africa* (Palgrave Macmillan, 2021) 93

G. Mathiba, "Corruption, Public Sector Procurement and COVID-19 in South Africa: Negotiating the New Normal" (2020) 55(1) *Journal of Public Administration* 642

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

T.I. Nzimakwe & A.C. Biyela, "Exploring the Procurement Challenges in the South African Public Sector" in N. Dorasamy & O. Fagbadebo (eds) *Public Procurement, Corruption and the Crisis of Governance in Africa* (Palgrave Macmillan, 2021) 73

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, and A. Anthony, "Towards Open Contracting in South African Public Procurement Law" (2022) 31 *Public Procurement Law Review* 113

G. Quinot, "Contemporary trends in the development of public procurement law in South Africa" (2023) 85(1) *Ruch Prawniczy, Ekonomiczny i Socjologiczny* 71  
<https://doi.org/10.14746/rpeis.2023.85.1.07> 71

G. Quinot, "Reforming procurement law in South Africa" (2020) 7 *African Public Procurement Law Journal* 1

G. Quinot, "Liability of procurement officials as governance mechanism" in G. Quinot & S. Williams-Elegbe (eds) *Public Procurement Regulation in Africa: Development in Uncertain Times* (Durban: LexisNexis, 2020) 161

G. Quinot "Constitutionalising public procurement through human rights: lessons from South Africa" in O. Martin-Ortega & C. Methven O'Brien (eds) *Public Procurement and Human Rights: Opportunities, Risks and Dilemmas for the State as Buyer* (Cheltenham: Edward Elgar, 2019) 78-95

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/pelj.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

C. Rankin, "Reforming Emergency Procurement to Protect Against Corruption Decision-making while Ensuring Swift and Unencumbered Procurement" (2021) 8 *African Public Procurement Law Journal* 84

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

L. Shai, C. Molefinyana, and G. Quinot, "Public Procurement in the Context of Broad-Based Black Economic Empowerment (BBBEE) in South Africa—Lessons Learned for Sustainable Public Procurement" (2019) 11:24, 7164 *Sustainability*, 1-27

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. Soon-Shiong, "Public procurement and implementing agents: The middlemen in charge of school infrastructure delivery in the Eastern Cape of

South Africa” in G. Quinot & S. Williams-Elegbe (eds) *Public Procurement Regulation in Africa: Development in Uncertain Times* (Durban: LexisNexis, 2020) 229

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

H. Venter, “Transfer of funds and implementing agents under the new draft Public Procurement Bill” (2020) 7 *African Public Procurement Law Journal* 55

P. Volmink, “Deviations and variations in South African public procurement” (2022) 9 *African Public Procurement Law Journal* 52

P. Volmink, “Pre-qualification and preference in public procurement: A critical reflection on *Minister of Finance v Afribusines NPC*” (2022) 9 *African Procurement Law Journal* 1

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

P. Volmink, & A. Anthony, "The South African Supreme Court of Appeal in *Afribusines NPC v Minister of Finance*" (2021) 8 *African Public Procurement Law Journal* 1

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

D. Wickens "Cost-effectiveness as a design principle for regulatory reform" in G. Quinot & S. Williams-Elegbe (eds) *Public Procurement Regulation in Africa: Development in Uncertain Times* (Durban: LexisNexis, 2020) 37

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

S. Williams-Elegbe, "An uncertain future for debarment in South Africa: An analysis of the debarment provisions in the 2020 draft Public Procurement Bill" (2020) 7 *African Public Procurement Law Journal* 34

S. Williams-Elegbe, "Public procurement, corruption and blockchain technology in South Africa: A preliminary legal inquiry" in G. Quinot & S. Williams-Elegbe (eds)

*Public Procurement Regulation in Africa: Development in Uncertain Times* (Durban: LexisNexis, 2020) 83

### **Notes**

Allison Anthony, "Public Procurement Law" (2019/2020) 1 *Yearbook of South African Law* 1111

A.M. Anthony, "Public Procurement" 2020 *Juta's Quarterly Review of South African Law*

A.M. Anthony, "Public Procurement" 2019 *Juta's Quarterly Review of South African Law*

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, "Public Procurement Law" (2022/2023) 4 *Yearbook of South African Law*

G. Quinot, "Public Procurement Law" (2021/2022) 3 *Yearbook of South African Law* 1161

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*

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

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

## **TANZANIA**

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

J.S. Kihamba, "Public Procurement Reforms in Tanzania: Dispersion of Corruption and Governance" in N. Dorasamy & O. Fagbadebo (eds) *Public Procurement, Corruption and the Crisis of Governance in Africa* (Palgrave Macmillan, 2021) 185

W.B. Kapinga and J.H. Alliy, "Tanzania" in J. Delmon and V. Rigby Delmon (eds), *International Project Finance and PPPs: A Legal Guide to Key Growth Markets 2013* (Alphen aan den Rijn: Walters Kluwer Law and Business, 2012)

F.A. Mwakibinga and A. Buvik, "An Empirical Analysis of Coercive Means of Enforcing Compliance in Public Procurement" (2013) 13 *Journal of Public Procurement* 243

N. Zervos, "Tanzania" in B. Werneck and M. Saadi (eds), *The Public-Private Partnership Law Review*, 3rd edition (London, UK: Law Business Research, 2017) 210

## **TUNISIA**

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

A. Meziou, "The Law on Concession No2008-23: The legal regime for Public-Private Partnerships in Tunisia" (2012) 7 *European Procurement & Public Private Partnership Law Review* 172

A. Meziou, "PPP Law Reform in Tunisia: What Changes Will be Introduced in the Legal Framework" (2013) 8 *European Procurement & Public Private Partnership Law Review* 324

R. Jenayah, "The Criminal Repression of Corruption in Public Procurement of Tunisia" in G.M. Racca and C. Yukins (eds), *Integrity and Efficiency in Sustainable Public Contracts: Balancing Corruption Concerns in Public Procurement Internationally* (Bruxelles: Bruylant, 2014) 101

**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, "Public Procurement Governance: Toward an Anti-Corruption Framework for Public Procurement in Uganda" in N. Dorasamy & O. Fagbadebo (eds) *Public Procurement, Corruption and the Crisis of Governance in Africa* (Palgrave Macmillan, 2021) 113

B.C Basheka & C.K. Sabiiti "Compliance to public procurement reforms in developing countries: the contextual perspective from Uganda" (2011) 4:5 *International Journal of Procurement Management* 535

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

J.M. Ntayi, P. Ngoboka, H. Mutebi, and G. Sitenda, (2012), "Social value orientation and regulatory compliance in Ugandan public procurement", (2012) 39 *International Journal of Social Economics* 900

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

**ZAMBIA****Articles and Essays in Edited Collections**

G.K.M. Mwamba "Public Procurement in Zambia: A Commentary on the Law and Practice" (2017) 3(9) *IJRD – Journal of Business Management* 24

**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>)