

**No. F. 1(46)/DD-II/PPRA-2011**  
**GOVERNMENT OF PAKISTAN**  
**PUBLIC PROCUREMENT REGULATORY AUTHORITY**  
**(CABINET DIVISION)**  
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Islamabad, the January 04, 2012

Subject: **Expansion of Container Terminal at Berths No.6-9 East Wharf, Karachi Port Trust, Ref: KPT S/2974 dated 29/11/11 and TIP Letter dated 30/11/11, 1/12/11, 19/12/11, 21/12/11, 24/12/11 and PPRA letter dated 21/12/11.**

Reference Transparency International letters dated 29<sup>th</sup> December 2011 and 19<sup>th</sup> December 2011 on the subject. It is clarified that the PPRA letter No. 1(46)/DD-II/PPRA/2011, dated 21<sup>st</sup> December 2011 on the subject was inadvertently written as a complaint whereas it was not a complaint rather a clarification sent by TIP to KPT and with a copy to PPRA.

2. Nevertheless, it is stated that PP Rules 2004 are applicable in PPP projects in which Federal Government and the private party have joint equity or ownership through a corporate body and procurements are made by such body. The copy of the Cabinet Division notification is attached.



**( Naeem Ahmad )**  
Deputy Director-II

**Chairman**  
Karachi Port Trust  
Karachi

**CC:**  
**Mr. Saad Rashid, Executive Director, Transparency International Pakistan, Karachi.**

GOVERNMENT OF PAKISTAN  
CABINET SECRETARIAT  
CABINET DIVISION

No. 2/1/2008PPRA-RA.III

Islamabad, the dated 7<sup>th</sup> May, 2008

To,

The Managing Director,  
Public Procurement Regulatory Authority.

Islamabad

Subject:

APPLICABILITY OF PUBLIC PROCUREMENT RULES, 2004  
ON PUBLIC PRIVATE PARTNERSHIP (PPP)

I am directed to refer to Public Procurement Regulatory Authority's O.M No. 1(8)/DD-I/PPRA/PSM-II/07 dated 15<sup>th</sup> March, 2008 on the above subject and to state that the PPRA's Board has taken following decision under Section 5 (2) (C) of the Public Procurement Regulatory Authority Ordinance, 2002 on the Public Private partnership (PPP) projects in its meeting held on 12<sup>th</sup> February, 2008:-

The Board discussed the proposal and after detailed deliberations, observed that Public Private Partnership (PPP) projects may broadly be of the following two types:-

- a) PPP projects in which the Federal Government does not have any equity of ownership and procurements are made by the private party.
- b) PPP projects in which the Federal Government and the private party have joint equity or ownership through a corporate body and procurement are made by such body.

2. The Board clarified that the PPRA Ordinance, 2002 and Public Procurement Rules, 2004 will not be applicable to the type (a) mentioned at para-1 above, while type (b) will be governed by the PPRA Ordinance and Rules.

Sd/-

(Muhammad Farooq)  
Section Officer (RA.III)  
Ph # 051-9201444

Copy to:-

The Secretary, Finance Division, Islamabad.