



Malta – Monitoring of non-compliance in public procurement



Public Procurement Principle: **Accountability, Transparency**



Procurement Stage: **Tendering, Post-award**



Audience: **Policy maker, Procuring entity**

Description

The Department of Contracts (DOC), falling within the remit of the Ministry of Finance, operates as one of the central purchasing bodies in the Maltese public procurement system, with the task of regulating and administering public procurement initiatives and procedures. Pursuant to its competencies, the DOC has established a Compliance and Monitoring Unit (CMU) with the objective of ensuring transparency and proper policy architecture in public procurement and promoting whistleblowing as well.

The CMU's tasks relate to the early identification of situations of non-compliance and then correction of them. In that regard, it conducts regular monitoring of public procurement, including random spot checks of procurement procedures (the latter being under implementation). Monitoring allows for early identification and correction of potential irregularities before the problem becomes recurrent and then causing the contracting authority/entity to be in non-compliance.

The investigations carried out by the CMU enable the DOC to garner the necessary information to conduct analysis and propose solutions. The solutions aim at the correction of the detected situations of non-compliance and typically may require broader policy changes or targeted recommendations at the level of the contracting authority/entity.

In the course of the past years, the Compliance and Monitoring Unit has intervened in more than 75 cases of non-compliance in 2015 and more than 80 in 2016.

Source: OECD (2019), [Public Procurement in Malta: Re-engineering the department of contracts](#), OECD Publishing, Paris

