



**NAMIBIA UNIVERSITY
OF SCIENCE AND TECHNOLOGY**

**FACULTY OF COMMERCE, HUMAN SCIENCES AND EDUCATION
DEPARTMENT OF MARKETING, LOGISTICS AND SPORTS MANAGEMENT**

QUALIFICATION: BACHELOR OF PROCUREMENT & SUPPLY CHAIN MANAGEMENT	
QUALIFICATION CODE: 07BPSM	LEVEL: 6
COURSE CODE: PLF621S	COURSE NAME: POLICIES AND LEGAL FRAMEWORKS FOR PUBLIC PROCUREMENT MANAGEMENT
SESSION: JANUARY 2025	PAPER: THEORY
DURATION: 3 HOURS	MARKS: 100
SECOND OPPORTUNITY EXAMINATION QUESTION PAPER	
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MODERATOR:	MS. HILMA NUUYANDJA
INSTRUCTIONS	
1. Answer ALL the questions. 2. Write clearly and neatly. 3. Number the answers. Pay attention to the mark allocation when formulating your answers.	

THIS QUESTION PAPER CONSISTS OF 5 PAGES (Including this front page)

SECTION A: MULTIPLE CHOICE

QUESTION 1: MULTIPLE CHOICE (20 marks)

There are 10 Multiple-choice questions with several possible choices each. Choose **ONLY** the best possible answer, for example, 1A. Each question is equivalent to 2 marks.

1.1. The Ministry of Health in Namibia plans to procure medical supplies worth millions. Concerns have been raised about corruption risks, lack of transparency, and ensuring that taxpayer money is well spent. Which of the following best explains why a strong public procurement law is essential in this context? (2 Marks)

- a) It allows ministries to purchase quickly without restrictions.
- b) It provides secrecy in procurement decisions to avoid supplier pressure.
- c) It ensures efficient use of funds, promotes transparency, accountability, and fairness.
- d) It prioritises supplier profits over value for money.

1.2. The Roads Authority is drafting a procurement policy and must base it on Namibia's overarching legal framework. Which document provides the legal foundation for all laws in the country? (2 Marks)

- a) Procurement Policy Unit (PPU) Guidelines
- b) The Constitution
- c) Public Procurement Act of 2015
- d) Code of Good Practice on Preferences

1.3. Namibia is considering aligning its laws with international best practices to improve transparency. Officials debate adopting the UNCITRAL Model Law. What is the purpose of this Model Law? (2 Marks)

- a) To impose binding rules on all countries' procurement systems
- b) To act as a flexible reference framework to promote transparent and competitive practices
- c) To replace national laws with one universal procurement law
- d) To promote only domestic suppliers in international trade

1.4. An NGO wants to understand when Namibia's procurement law came into effect. The Act was signed in 2015 but implemented later. When was the Public Procurement Act formally enacted? (2 Marks)

- a) Signed in 2015, enacted in April 2015
- b) Signed in 2015, enacted in April 2017
- c) Signed in 2015, enacted in April 2018
- d) Signed in 2015, enacted in May 2017

1.5. During a training session, a student asks which institutions are not bound by the Procurement Act. Which category is legally exempt? (2 Marks)

- a) State-owned enterprises
- b) Namibian Defence Force
- c) Local authorities
- d) Public universities

1.6. The Ministry of Finance introduces an online platform where suppliers compete in real-time by lowering prices for goods. Which procurement method does this describe? (2 Marks)

- a) Direct Procurement
- b) Request for Sealed Quotations
- c) Electronic Reverse Auction
- d) Restricted Bidding

1.7. The Auditor-General conducts an assessment of contracts for school construction projects. What is the main purpose of procurement auditing here? (2 Marks)

- a) To replace procurement planning with external oversight
- b) To ensure procurement is fair, transparent, and compliant with regulations
- c) To reduce the number of bidders for efficiency
- d) To allow private companies to handle reviews

1.8. An internal auditor reviews payments and finds errors corrected only after invoices are reconciled. This is an example of which control type? (2 Marks)

- a) Preventive controls
- b) Detective controls
- c) Corrective controls
- d) Compliance controls

1.9. The Ministry of Works signs a contract with a supplier to deliver building materials. The contract requires supervision to ensure obligations are met. What is this process called? (2 Marks)

- a) Tendering
- b) Contract Management
- c) Audit Review
- d) Planning

1.10. An unsuccessful bidder challenges a contract award, claiming bias. Which remedy under Namibian law can they pursue? (2 Marks)

- a) File a challenge before the Review Panel
- b) File a challenge before the Procurement Policy Unit
- c) Cancel the procurement directly

d) File a challenge before the High Court

SECTION A: 20 MARKS

SECTION B: STRUCTURED QUESTIONS

QUESTION 2

[25 MARKS]

The Ministry of Works and Transport recently came under scrutiny after awarding a road construction tender without proper competition. Civil society organisations argued that the absence of clear procedures exposed the process to corruption and waste of public funds.

- 2.1. Analyse why regulating public procurement is essential for safeguarding accountability, value for money, and economic development in Namibia ? **(10 mark)**
- 2.2. Using this case, evaluate the risks of operating without a strong procurement regulatory framework? **(15 marks)**

QUESTION 3

[25 MARKS]

The Khomas Regional Council is reviewing its procurement practices. Some officials believe their internal procurement policies are sufficient, while others insist that compliance with the Public Procurement Act (PPA 15 of 2015), regulations, and constitutional provisions is non-negotiable.

- 3.1. Discuss what constitutes a legal and regulatory framework for procurement in Namibia, making reference to both public and private sector contexts? **(15 marks)**
- 3.2. Propose how the Khomas Regional Council can harmonise its internal policies with the national legal framework to strengthen accountability? **(10 marks)**

QUESTION 4

[30 MARKS]

The Ministry of Health and Social Services entered into a contract for the supply of hospital equipment. An audit by the Auditor-General revealed inflated invoices, missing contract management records, and weak internal controls.

- 4.1. Analyse the role of procurement audits and internal controls in preventing such irregularities in the public sector? **(10 marks)**

The Namibia Statistics Agency plans to contract a private ICT firm to develop an online platform for collecting household data nationwide. During pilot testing, members of the

public raised concerns about how their personal information would be protected and whether citizens' rights were adequately safeguarded under the procurement arrangement.

4.2. Analyse the potential legal and ethical challenges that could arise in this procurement arrangement? **(10 marks)**

4.3. Evaluate how the contracting authority should address these challenges to ensure compliance with national laws and to protect the interests of citizens? **(10 marks)**

SECTION B: 80 MARKS

TOTAL: 100 MARKS