

# Statutes of the Inter-American Network on Government Procurement -INGP-

## 1. Establishment

The Inter-American Network on Government Procurement (INGP), hereinafter "the INGP", is an initiative of the countries of the Americas supported technically, financially and administratively by multilateral organizations.

The INGP is established as a horizontal technical cooperation mechanism, which allows for the mobilization and exchange of human, technical, financial and material resources for the generation of knowledge, experiences and best practices in public procurement between member countries of the Americas.

## 2. Principles

- 2.1 Respect for the laws of each member country and the principles of international law, taking into consideration the independence and sovereignty of each country in their decisions concerning public procurement.
- 2.2 Open admission (access, entrance) and withdrawal (exit) of members.
- 2.3 Compliance in the democratic system for adopting resolutions by majority and respect for the concept of minorities.
- 2.4 Continued close collaboration between INGP and its members.
- 2.5 Spirit of service.
- 2.6 Transparency.

### **3. Objectives**

- 3.1 Promote and maintain space for reflection to generate mutual understanding between INGP members.
- 3.2 Promote horizontal technical cooperation that allows for, among other things, the training and exchange of experiences between INGP members.
- 3.3 Strengthen the contracting institutions of the state.
- 3.4 Build bridges between governments, (civil society) organizations linked to public procurement and international organizations.

### **4. Members**

- 4.1 The INGP is composed of national government procurement agencies from countries of the Americas that have the maximum technical responsibility for the regulation, management, supervision or reform of public procurement.
- 4.2 Based on the principle stated in paragraph 2.2 of the present statutes any agency of those alluded to in paragraph 4.1, may enter or withdraw itself from participating in the INGP through a formal communication to the President, with copy to the Technical Secretariat. Entry or withdrawal shall become effective the day following the agreement on the matter by the Executive Committee. This date will be also informed to the institution requiring the entrance or withdrawal.

In the event that an INGP agency withdraws itself from the Network and has previously committed itself to activities that are still pending, the withdrawal of the institution will only take effect after those activities have been completed or an agreement has been reached and communicated to the President of the INGP in order to transfer those activities to another member institution.

## 5. Financing

The financing of the INGP will come from the following sources:

5.1 Financing from multilateral organizations interested in supporting INGP activities.

5.2 Contributions from INGP member institutions and international organizations, as well as individuals of any kind that would like to support INGP activities in general for the achievement of specific projects.

## 6. Organization and Structure

The INGP shall consist of the Annual Conference, the Presidency, the Executive Committee, the Technical Secretariat and Observer Organizations.

### 6.1 Annual Conference

The Annual Conference is the Network's greatest instance of exchange, discussion and dialogue. It brings together the highest-level managers of the member country institutions, who may delegate their representation to another person of their team when they are unable to participate in the Conference. Delegates should be a part of a formal delegation that gives legitimacy and absolute validity to their representation. The delegation must be presented before the Technical Secretariat and the Executive Committee of the INGP, as required in order to vote and participate during the conference.

*Functions of the Annual Conference:*

- Serve as a forum for dialogue among its members to discuss progress made in public procurement in the region and strategic issues for its development in the Americas.
- Analyze and approve the annual report presented by the Executive Committee for the execution of the Annual Work Plan.

- Elect the President and the Executive Committee of the INGP according to the current Statutes.
- Discuss and approve the Annual Work Plan proposed by the Executive Committee, including the activities and necessary resources for its execution.
- Determine the host for the next Annual Conference.
- To acknowledge the entry and withdrawal of INGP members and make recommendations accordingly.
- Interpret these Statutes and resolve any cases that are not contemplated herein.

The Annual Conference will attend matters within its competence and adopt the relevant agreements in person at the meeting held in the specified location or via electronic media. If the latter, the President of the INGP with the support of the Technical Secretariat will ask the members of the Annual Conference, providing the relevant information, its decision on the issues to be treated.

## 6.2 Presidency

The presidency will be exercised by the President elected by the representatives of the member institutions of the INGP in private session of the Annual Conference. The President of the INGP will serve for a period of two (2) years.

All representatives of the member countries are eligible to take office as President. The nomination can be autonomous or proposed by other member of the INGP. If there is more than one (1) candidate, voting will take place among the members present. If the main representative delegates his/her representation to another official, it must comply with the requirements detailed in 6.1. The vote is secret and the election will be according to the quorum established in section 7 of these Statutes.

### *Functions of the President:*

- Represent the INGP at international and regional events.

- Support the Technical Secretariat in resource management and campaigns and activities to strengthen and enhance support from funding agencies that allow for the long-term sustainability of the Network.
- Lead the execution of the activities established in the Annual Work Plan and any other activity that is required for the consolidation and development of the INGP.
- Request technical and administrative support from the Technical Secretariat, as deemed necessary for its proper functioning.

If the representative of the national public procurement government institution serving as President departs from his/her institution, the new representative of that institution shall be considered President of the INGP. If the new representative declines this role, the Executive Committee shall elect, by common agreement, a member of the Committee as Acting President. If the President's departure is given during his/her first year in office (and his/her successor declines the role of INGP President), the Acting President will assume this role only until the conclusion of the next Annual Conference when a substitute President will be elected. The substitute President shall be elected by an absolute majority of members present at the INGP Annual Conference.

The President, in accordance with the Executive Committee, may invite multilateral agencies and/or donors that have programs supporting the development of public procurement to join the Committee. These agencies will participate in the deliberations of the Committee with voice but without vote.

### 6.3 Executive Committee

The Executive Committee is the body responsible for implementing the decisions made at the Annual Conference and for implementing the Annual Work Plan.

The Executive Committee is comprised of five (5) national institutions from INGP member countries in the Americas that have maximum technical responsibility (authority) of (over) public procurement in their respective countries. The Committee's structure is established according to geographical criterion, with one representative per region:

- Area 1: North America.
- Area 2: Central America, Panama and the Dominican Republic.
- Area 3: Andean Community.
- Area 4: MERCOSUR and Chile.
- Area 5: The Caribbean.

If there are no candidates or if impossible to rotate the representative of a sub-region, other members of the INGP will be able to choose a representative from another sub-region to occupy the seat.

Each member of the Executive Committee shall be elected for a period of two (2) years. During the Annual Conference, a time will be established in the agenda for each geographic area to elect their representative to the Executive Committee that shall result in the most voted candidate among the countries of the corresponding area.

*Functions of the Executive Committee:*

- Ensure compliance with the basic rules for the organization and operation of the INGP.
- Define the best course of action for raising resources from national, bilateral or multilateral sources in order to facilitate the achievement of the objectives and activities established in the Annual Work Plan of the INGP.
- Organize the technical, budgetary and logistical components of the Annual Conference in coordination with the Technical Secretariat and the host country.
- Receive the information, documentation, balances, recommendations and annexes that support the achievements of its predecessors.
- Prepare and approve the Annual Work Plan and submit it for review by the members of the Network at the Annual Conference.
- Coordinate and support the execution of the approved Annual Work Plan.

- Establish specific working groups composed of INGP members to discuss and formulate proposals on particular issues.
- Coordinate with donor agencies and multilateral institutions in the implementation of projects and activities that support the objectives of the Network.
- Cooperate with the Presidency and the Technical Secretariat to develop the most appropriate strategies and actions for facilitating access to resources by the member institutions of the Network.
- Support the Technical Secretariat in matters of financial sustainability for its functioning and fulfillment of activities coordinated by the INGP.

If the representative of the national public procurement government institution serving as member of the Executive Committee departs from his/her institution, the new representative of that institution shall be considered as member of the Committee. If the new representative declines this role, the Executive Committee along with the Technical Secretariat shall summon the concerned sub region to elect an interim member until the next election period occurs.

#### 6.4 Technical Secretariat

By agreement of the member countries of the INGP, the role of Technical Secretariat of the INGP is performed by the Organization of American States (OAS), a decision that was taken at the plenary meeting of the Network held in Asuncion, Paraguay, December 14, 2007.

#### *Functions of the Technical Secretariat:*

- Convene and coordinate meetings for the Executive Committee and the Annual Conference, as well as prepare the meeting minutes.
- Support the work of the Executive Committee in the design, approval and execution of the established activities within the Annual Work Plan, the

monitoring and evaluation of activities, and in the management of and access to international cooperation opportunities.

- Assist the Executive Committee in the identification and management of resources for international cooperation.
- Design and execute specific projects along the lines established by the Annual Conference and the Executive Committee, particularly those designed to strengthen horizontal cooperation among member institutions of the INGP.
- Collaborate with the Executive Committee and the Presidency in the preservation of documents and records relevant to the historical memory of the INGP.
- Coordinate and organize meetings and other activities defined by the INGP.
- Coordinate the Network's institutional communications with its members, donor and funding agencies, and other entities with which the INGP maintains operational relations.
- Administrate the Network's Website [www.ricg.org](http://www.ricg.org), making it a tool to support the execution of the Annual Work Plan.
- Maintain active relationships with organizations with similar goals, such as business associations, training institutes, multilateral banks and civil society organizations.

### 6.5 Observer Organizations

The President, in accordance with the Technical Secretariat and the Executive Committee, may invite organizations that undertake activities related to the Network to be observers of the INGP. Observer organizations will be able to participate with voice but without vote at the Annual Conference and in Executive Committee meetings.



## **7. Quorum for decision-making in face-to-face, virtual, regular and special meetings**

The quorum established for the deliberation of the aforesaid operations and structure of the Network, including the approval and modification of these statutes, is defined by a simple majority of the representatives of the national institutions of the member countries of the INGP. For approval, a simple majority must be achieved from the present members that are legitimized by voice and vote.

### **Transitional Provisions**

**First:** The present Statutes shall enter into force on the day following its approval by the Annual Conference.

**Second:** From the entry into force of these Statutes, the "Structure and Operating Rules of the Inter-American Network on Government Procurement" adopted in Panama City on January 25, 2008 are voided.

**Third:** The period for exercising the functions of President of the INGP referred to in section 6.2 of this Statute will start to apply following the presidential election taking place in the 2015 Annual Conference.