

Summary of Changes to MPA Standing Orders

Financial regulations

1. The majority of the amendments to Financial Regulations are minor, with changes being made to reflect changes in job titles, legislation and the way in which the Authority undertakes its business.
2. The main changes are rules and regulations in relation to Land and Buildings. These now form part of Financial Regulations rather than Contract Regulations, in addition the level of delegated authority that the Director of Strategic Finance has in relation to the acquisition and disposal of land and buildings has been reduced from £2 million to £1 million. This reduction is felt necessary to ensure the Authority has increased oversight with regard acquisition and disposal of properties.

Contract Regulations

1. The Chartered Institute of Public Finance (CIPFA) recently issued example contract procedural rules, which whilst not intended to be a model, are seen to illustrate how contract regulations may be written to ensure effective and efficient procurement, which promote good purchasing practice, public accountability and ensure compliance with both EU and UK Public Procurement rules.
2. Viewed as being good practice, the CIPFA contract procedural rules have formed the basis of the Authority's revised contract regulations, with amendments being made where necessary to meet our own requirements.
3. Whilst the wording of the revised regulations is presented differently, the rules largely remain the same. A summary of the areas where changes have been made is as follows: -
4. The regulations now include increased reference to EU legislation in acknowledgement of the importance that this plays in procuring goods and services.
5. At the time the original contract regulations were written the Authority was unaware of the volume of exemptions there would be nor of the range of values. Currently contract regulations specify that exemptions require the approval of the Commissioner through the 'Authorised Representative', with a record of the exemption being provided to the Chief Executive as soon as practicable. This is not felt to provide the necessary level of control and therefore this area has been strengthened. With the exception of unforeseeable emergencies, approval of the Chief Executive must now be sought (in writing) immediately the need for a Contract exemption (e.g. single tender action) is identified and prior to any decision being made for all contracts over £40,000. All exemptions under £40,000 must still be reported to the Chief Executive, but prior approval is not required.
6. The new regulations give clarity as to when the "seal" should be used. This section is now more detailed to avoid ambiguity.