

PART X - DISPOSAL OF STORES AND EQUIPMENT

Application of Part.

126. This Part applies with respect to the disposal of stores and equipment of a public entity that are unserviceable, obsolete or surplus.

Responsibility for complying with Act, etc.

127.(1) A public entity shall ensure that this Act, the regulations and any directions of the Authority are complied with in respect of each of its disposals to which this Part applies.

(2) The accounting officer of a public entity shall be primarily responsible for ensuring that the public entity fulfils its obligations under subsection (1).

(3) Each employee of a public entity and each member of a board or committee of the public entity shall ensure, within the areas of responsibility of the employee or member, that this Act, the regulations and any directions of the Authority are complied with.

Disposal committee.

128.(1) A public entity shall establish a disposal committee in accordance with the regulations for the purpose of recommending the best method of disposing of unserviceable, obsolete or surplus stores or equipment.

(2) The disposal committee shall meet within the prescribed period to report on the items and subject to a technical report, recommend the best method of disposal.

Disposal procedure.

129.(1) The employee in charge of unserviceable, obsolete or surplus stores or equipment shall bring the matter to the attention of the disposal committee.

(2) An employee shall comply with subsection (1) within a reasonable time after the stores or equipment become unserviceable, obsolete or surplus.

(3) The disposal committee shall recommend to the accounting officer a method of disposing of the stores and equipment which may include any of the following —

- (a) transfer to another public entity or part of a public entity, with or without financial

adjustment;

- (b) sale by public tender;
 - (c) sale by public auction; or
 - (d) destruction, dumping or burying;
- (a) trade-in.

(4) Within the prescribed time period after receiving the recommendations of the disposal committee the accounting officer shall give the committee a written notice as to whether the accounting officer accepts or rejects the recommendations of the committee.

(5) If the accounting officer accepts the recommendations of the disposal committee, the stores and equipment shall be disposed of in accordance with those recommendations.

(6) If the accounting officer rejects the recommendations of the disposal committee he shall, within the time period referred to in subsection (4), —

- (a) include, with the notice given to the committee under subsection (4), written reasons for rejecting the recommendations of the committee;
- (b) give the Authority a copy of the notice under subsection (4) and the written reasons under paragraph (a); and
- (c) refer the matter back to the committee for further consideration.

Directions.

130. The Authority may issue written directions to public entities with respect to the disposal of unserviceable, obsolete or surplus stores and equipment.

Restriction on disposal to employees, etc.

131. A public entity shall not dispose of unserviceable, obsolete or surplus stores and equipment to an employee of the public entity or a member of a board or committee of the public entity except as

expressly allowed under the regulations.

Application of
Part VIII to
disposals.

132. Part VIII applies, with necessary modifications, with respect to disposals of unserviceable, obsolete or surplus stores and equipment in the same manner as that Part applies with respect to procurements.