Relocation to Nottingham University

The most significant item of news for this newsletter is that the Group, which was originally established in 1996 at the University of Wales Aberystwyth, has now moved to the School of Law at the University of Nottingham. The Group is very pleased to be moving to its new location, as the School of Law at Nottingham is one of United Kingdom's top-ranked law schools. It was one of the few to receive a grade of 5 out of 5 in the government’s most recent Research Assessment Exercise in which UK law departments were rated for their research performance, and has also been awarded the top grade of “Excellent” for its quality of teaching. The University is conveniently located very close to East Midlands airport, and is also easily accessible to London, Birmingham and Manchester by road and rail. Thus it will provide an excellent base for future conferences and workshops.

Please note our new contact details, which are set out at the end of this newsletter.

New sponsorship for the PPRG

The Group is also very pleased to announce that it has received significant sponsorship for its activities from Achilles Information, from the law firm of Bevan Ashford, and from the Chartered Institute of Purchasing and Supply.

Achilles is a specialist procurement services and consultancy business, with offices in 5 countries and employing within the Group around 140 people, over 80 of whom are in the UK. Achilles' services range from education, training and consultancy to the development of leading-edge computer systems for vendor and contract management.

The Group is pleased to welcome as a major sponsor Bevan Ashford, a firm of solicitors working at the public and private sector interface. The firm combines diverse public sector experience with strong commercial expertise and is a major force in procurement, PFI, PPP and commercial work.

The Chartered Institute of Purchasing & Supply (CIPS) is an international organisation, based in the UK, serving the purchasing and supply profession. With over 27,000 members worldwide, CIPS is dedicated to promoting best practice and provides a programme of continuous improvement in professional standards, raising awareness of the contribution purchasing and supply makes to corporate, national and international prosperity.

New Deputy Director & Research Officer

Deputy Director: In 1998 Professor Erika Szyzszczak became the new Deputy Director of the Group. Professor Erika Szyzszczak, LL.B. (Hull), LL.M. (Exeter), Ph.D. (Kent), is Jean Monnet Professor of European Law. Her primary research interests are EU Social Policy and the Regulation of state intervention in competitive markets. Significant publications (including forthcoming

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PhD Studentships

In 1998/99 the Group has awarded two fully funded studentships for PhD study.

The first studentship, the Achilles Studentship in Public Procurement, was created through the generous sponsorship of Achilles Information. The studentship has been awarded to Peter Braun, a German national, who graduated in law from the University of Kiel. He later studied public procurement as part of his LLM degree at the University of Wales, Aberystwyth, where he obtained a Distinction for his dissertation on legal aspects of the Private Finance Initiative. For his PhD Peter is researching the practical application of the EC public procurement rules to PFI projects.

The second studentship has been funded partly by the Law School and partly by central university funds, for the purpose of furthering the Group's work on remedies. This has been awarded to Despina Pachnou, who is examining the practical considerations which influence the use of legal remedies to challenge public procurement decisions. Despina is from Greece and her case studies will focus on the Greek and United Kingdom systems. She has a first degree from the University of Athens and a Masters degree in European Community Law from the College of Europe in Bruges. She has previously gained experience of public procurement through a stage in DG XV of the European Commission.

Recent conferences and seminars...

During the last eighteen months the Group has organised a number of highly successful workshops and conferences.

"Public Procurement: Global Revolution"

Foremost amongst these was a two-day international conference “Public Procurement: Global Revolution”, held in Aberystwyth in September 1997. The title of the event reflected the enormous recent changes in the legal regulation of public purchasing, which have resulted from both national reform programmes and international agreements. The conference considered current policy issues in four themed sessions, covering European Union procurement; globalisation; private finance in public procurement; and reform in developing and transition economies. The fully-subscribed conference was attended by nearly 90 participants representing 18 countries, including Japan, China, Taiwan, the United States and Mauritius as well as many European states. Many participants described the event as the best they had ever been to on public procurement! Papers were presented by leading academics from Europe and the United States, by legal and purchasing practitioners, and by officials of the United Kingdom government, the World Trade Organisation, the World Bank, the European Bank for Reconstruction and Development, the European Commission, and the Confederation of British Industry. Sponsorship was provided by Linklaters & Paines and by the Chartered Institute of Purchasing and Supply.

Public Procurement Reform in China

The day after the conference the Group hosted a special seminar to discuss problems in drafting in China's new procurement law. The seminar addressed a number of interesting areas, including the possibilities of using the proposed Chinese Bidding Law to support anti-dumping policy, and the special difficulties of enforcement in the Chinese economy. Participants included Shao Yi of the Jiangsu International Tender Company, a member of the committee responsible for drafting the Chinese procurement law, and his deputy, Song Hang, and representatives from the World Bank and UK Treasury.
Annual advanced workshops on procurement under the EC rules

In conjunction with Achilles Information the Group, has continued to hold its very successful annual workshops on procurement under the EC rules, which are consistently rated “Excellent” by the delegates. These small-group workshops provide purchasers and lawyers working in the field with an opportunity to enhance and update their knowledge and to improve their strategic skills, through a mixture of seminars, case studies and interactive role-play sessions.

The 1997 workshops were held in Oxford, and the 1998 events in Burton on Trent, and attracted delegates from a number of European countries as well as the UK. By the time this newsletter is out the 1999 events, scheduled for June in Kettering, will also have taken place.

Workshop on defence procurement

In conjunction with the Association for Regulated Procurement the Group also hosted a half-day workshop on the regulation of defence procurement, involving speakers from the Ministry of Defence, the legal profession and academia. The Bristol venue for the event was kindly provided by solicitors Veale Wasbrough.

...and a forthcoming event

A conference specifically for students will be held on 13-14th September on the University Campus. This event has been organised by Peter Braun of the Public Procurement Research Group, to bring together students from across Europe who are involved in research on public procurement. The Public Procurement Research Group is providing financial support for delegates.

Recent and Forthcoming Publications

As always, members of the Group have been very active in research and publishing. In the last eighteen months Sue Arrowsmith, Anwel Davies, Erika Szyszczak, Caroline Tyrenius, Martin Dischendorfer, Elisabetta Piselli and Stephen Bailey have all published articles and/or books on aspects of public procurement law. Subjects covered include various aspects of European law, the WTO’s Government Procurement Agreement and proposed Agreement on Transparency, and the law and practice of several EU Member States.

Two major new works to be published in 1999 are the following:

- Regulating Public Procurement: National and International Perspectives (Kluwer International), co-authored by Sue Arrowsmith, John Linarelli and Don Wallace. This book provides a critical and comparative analysis of all aspects of public procurement regulation. It draws both on international texts — notably the UNCITRAL Model Law and WTO’s Government Procurement Agreement — and on illustrative materials from a wide range of national jurisdictions.

- Public-Private Partnerships (Sweet & Maxwell). This is an ambitious looseleaf work, which will provide a comprehensive guide to the legal, practical and financial aspects of Public Private Partnership projects and PFI. Professor Sue Arrowsmith is the General Editor and co-author of the work, which has been produced in conjunction with a number of subject specialists. These include Bevan Ashford, one of the Group’s sponsors, whose lawyers have provided the legal advice for many of the UK government’s major PFI projects. The work is currently scheduled for publication in December 1999.
The Public Procurement Law Review, which is the major international journal on public procurement, has now moved into its ninth year of publication. Sue Arrowsmith remains the Editor of the Review and Arwel Davies and Martin Trybus are the Book Review Editors. Two members of the School of Law, Elisabetta Piselli (Italy) and Caroline Tyrentiu (Sweden) currently serve as national correspondents for the Current Survey section.

The Review has in the past focused mainly on European Union procurement. However, it has recently begun to publish more articles on other aspects of procurement, with recent material covering, for example, procurement in Japan and Israel, and procurement under World Bank guidelines. It also now has correspondents covering most of the signatory states to the WTO’s Agreement on Government Procurement.

The Editor is always pleased to consider articles from new contributors, which should be sent to the Group’s address. A style-guide for contributors is available on request.

**Congratulations!**

Congratulations are due to Martin Trybus, who has been awarded a Special Distinction in the competition organised by the Academy of European Law for PhD theses in the area of European Law. Martin’s thesis, submitted at the University of Wales under the supervision of Professor Sue Arrowsmith, will shortly be published as a book by Kluwer Law International, under the title “European Defence Procurement Law”.

Martin, who is the former Deputy Director of the Public Procurement Research Group, is currently completing a stage in DGXV of the European Commission.

**The procurement library**

In early 1999 a substantial sum was allotted by the Library New Developments Fund for the purchase of additional materials on public procurement. These will add to the already excellent collection, which is one of the most comprehensive available anywhere. The money will be used mainly to purchase foreign language texts on the EC and WTO procurement rules, and to acquire a collection of materials on United States procurement law.

**Visiting Scholar from China**

In April 1999 the Group welcomed Zhiqi Huang from China, who will be working in the Law School for a year as a Visiting Scholar. Ms Huang works for the Jiangsu International Tender Company. Whilst in Nottingham she will be undertaking her own research in procurement and studying modules from the LLM programme on public procurement and related subjects. She has a scholarship from the Chinese government, and has also received some financial support from the Group.

**Visiting speakers**

The Group regularly welcomes visiting speakers to give guest lectures and seminars. Visitors in the 1998/99 academic session have included:

- Auke Haagsma, Head of Unit in DGXV of the European Commission
- Ron Watermeyer, consultant to the government of South Africa for its programme on public procurement reform
- Colin Maund, Managing Director, Achilles Information
- Susie Smith, partner in Bevan Ashford, solicitors

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