

**THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED
BY IRAN**

ARTICLE 9, PARAGRAPH 1 UNCAC

PUBLIC PROCUREMENT

IRAN (THIRTEENTH MEETING)

1- In relation to integrity in public procurement and management of public finances (article 9), States parties may wish to provide information on measures that

A- Utilize online platforms for the management and oversight of public procurement to prevent corruption, enhance transparency and ensure competition and objective criteria in decision-making

1- Iran Headquarters System (www.setadiran.ir)

The e-Commerce Development Center, which is one of the organizations of the Ministry of Industry, Mines and Trade, has the main responsibility for entering information related to government transactions in electronic systems. The main electronic government system for supervising public tenders is the government's electronic procurement system called the "Iran Headquarters" system. Government transactions in this system are divided into three categories: partial and medium purchases, tenders and auctions. It is possible to register natural and legal persons applying to participate in these government transactions online, and their information is verified and verified online. Some people are prohibited from registering in the system, including government employees who cannot register in the system under the law prohibiting government employees from interfering in government transactions.

2- National system for managing the structure of executive devices (<https://sakhtar.karmandiran.ir/#!/index>)

This system belongs to the administrative and employment organization of the country. Although this system is not directly related to the entry of information related to government transactions in electronic systems, but it is a prerequisite for entering information by executive bodies in the Iranian headquarters system. In other words, a section entitled "National identity card of legal entities" has been created in the above system, in which government agencies are required to enter their information, and agencies whose information is registered and approved in the national system for managing the structure of executive agencies. If not, they cannot upload their transaction information in the Iranian headquarters system.

D-Good Practice

According to the above-mentioned legal criteria, the bodies subject to other financial and transaction laws of the public sector and all public sector traders, including public non-governmental organizations, are required to register in the e-government procurement system and conduct their transactions through the system. According to paragraph 1 of the single article of the Law on List of Non-Governmental Public Institutions approved in 1994, municipalities are examples of public non-governmental organizations and rural areas are considered as public non-governmental organizations according to the single article of the law establishing self-sufficient villages in the country

- Article 9 of the Act on the Sixth Development Plan of the Islamic Republic of Iran stipulates

By the end of the second year of implementation of the law, the government is obliged to implement the e-procurement system program for the implementation of all stages of medium and large transactions of ministries and agencies subject to the law on tenders approved on 11/3/2004 and other public sector financial and transaction laws except confidential transactions. , In compliance with the Electronic Commerce Law approved on 10/17/2003 and the Law on Holding Tenders approved on 11/3/2004.

- Article 3(B) of the Act on Promoting Administrative Integrity and Combating Corruption stipulates

Text of contracts related to medium and higher transactions subject to the law on holding tenders, which are concluded by tenders, auctions, abandonment of formalities, etc. by the bodies subject to paragraphs (a), (b) and (c) of Article (2) of this law; Also, their documents and appendices and any addition, amendment, termination, cancellation and termination of the contract ahead of time and its change, as well as all payments, must be entered in the database of contracts. Of course, contracts that have a security and military nature are excluded from this regulation and are not entered in the contract database. The important point in this regard is that the guarantee of implementation of the violation of the delay or non-entry of information on medium and higher transactions, the subject of the law on tenders, is also specified in Note 2 of this article.

Article 50 of the Act on Permanent Provisions of Country Development Programs

The government is allowed to complete the e-procurement system of the government to carry out all stages of various transactions of ministries and agencies subject to the law on tenders and other financial and transaction laws of the public sector, in compliance with the law of electronic commerce and the law of tenders. Other public sector traders, including those whose names are required by law to be mentioned or specified, and all governmental or public non-governmental organizations, must register in this system with a schedule approved by the Cabinet and with a valid electronic signature and compliance with relevant regulations. , All stages of its transactions such as requesting inquiries, calls, distribution and receipt of documents, electronic opening of envelopes or offers, concluding contracts and exchanging funds and guarantees, as well as any addition, amendment, termination, cancellation and termination of contracts through this system and Do it electronically.

B-Regulations

Approval letter 55289/136159 dated 11/25/99 (notification of the regulations on the activity of executive bodies in the electronic procurement system of the government.

According to this decree:

Accordingly, and in line with the general policies of the resistance economy, fiscal transparency, the fight against corruption, the establishment of a healthy competitive environment and economic justice, law enforcement agencies and other public sector traders and all government agencies or public institutions Non-governmental organizations must register in the e-procurement system of the government at www.setadiran.ir according to the schedule announced by the Ministry of Industry, Mines and Trade, and with a valid electronic signature, perform all stages of their medium and large transactions electronically through this system. Give.

Also, the Ministry of Industry, Mines and Trade (e-commerce development center) is obliged to make arrangements so that the General Inspection Organization and the Court of Audit have the necessary access to this system in the process of holding electronic tenders and auctions).