



Legal Aspects of Purchasing and Supply Chain Management

Ian Longdin

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All purchasing activities take place within a context of legal regulation, a context that has been taking on increasing importance in recent years. There are a number of reasons for this development. Our involvement in the European Union has resulted in a steady flow of Regulations and Directives imposing additional rules and procedures relating to such issues as tenders, anti-competitive practices, transfer of undertakings, electronic trading and intellectual property rights. There is also a culture change within the UK that has resulted in consumers and businesses becoming increasingly aware of their legal rights and entitlements. It has therefore never been more important for purchasing practitioners to have a basic understanding of the major legal issues and principles that impact on their work. This book provides a clear and concise account of the underlying legal principles which affect the purchasing function. It is also a useful revision book for candidates studying for the 'Legal Aspects for Purchasing & Supply' paper at Level Six of the Chartered Institute of Purchasing and Supply Graduate Diploma. It covers the essential legal themes, focussing on common examination topics, and takes into account the changes to the unit specification in 2007, including the widening of dispute resolution procedures to include mediation, conciliation and adjudication and the addition of the Freedom of Information Act 2000. Reforms in the law relating to the transfer of undertakings (TUPE) and the European public procurement rules have also been included. It also develops Competition Law and Intellectual Property Rights in more detail than is usually found in general works on commercial and business law. The book provides practical guidance on examination technique, especially relating to answering legal case studies. Advice on the approach to the study and revision of case law is also featured. A new component of the third edition is an additional appendix which contains recent cases involving procurement law issues. These are kept separate from the main body of the book and are not essential for purposes of revising for the Legal Aspects exam. However, they do provide useful examples of how the courts have been interpreting the law in relation to a wide range of procurement activities in the recent past. These include the EU public procurement rules, contract formation, assessment of claimable damages, limitations of liability, the Transfer of Undertakings (Protection of Employment) Regulations, the Freedom of Information Act, and the Late Payment of Commercial Debts (Interest) Act.



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