



AUSTRALIAN CAPITAL TERRITORY

Public Access to Government Contracts Amendment Act 2002

Act 2002 No 41

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AUSTRALIAN CAPITAL TERRITORY

Public Access to Government Contracts Amendment Act 2002

Act 2002 No 41

An Act to amend the *Public Access to Government Contracts Act 2000*

*Notified under the Legislation Act 2001 on 2 December 2002
(see www.legislation.act.gov.au)*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 Name of Act

This Act is the *Public Access to Government Contracts Amendment Act 2002*.

2 Commencement

This Act commences on the day after its notification day.

3 Act amended

This Act amends the *Public Access to Government Contracts Act 2000*.

Note This Act is amended in the body of this Act and in sch 1.

4 New sections 8A, 8B and 8C

insert

8A List of government contracts or statement

- (1) Within 14 days after the end of each 6 month period, a government agency must give the auditor-general either—
 - (a) a list of all government contracts containing a confidentiality clause entered into by the agency during the 6 month period; or
 - (b) a statement that the agency did not enter into a government contract containing a confidentiality clause during the 6 month period.

- (2) In this section:

6 month period means the 6 month period ending on 21 December 2002, and each 6 month period after that.

8B Chief executive officers must ensure compliance with Act

- (1) The chief executive officer of a government agency must ensure that the agency complies with this Act.

- (2) In this section:

chief executive officer, of a government agency, includes—

- (a) for an administrative unit—the person employed under the *Public Sector Management Act 1994*, section 28 (Engagement) or section 30 (Temporary performance of duties) to perform the duties of the office of chief executive of the unit; and

Note *Administrative unit* is defined in the *Legislation Act 2001*, dict, pt 1.

- (b) for a Territory instrumentality—the person responsible for managing the instrumentality.

8C Application of s 8A and s 8B

- (1) Sections 8A and 8B apply to the first 6 month period and each 6 month period after that.

- (2) This section expires 1 year after the day the *Public Access to Government Contracts Amendment Act 2002* commences.

- (3) In this section:

first 6 month period means the period from 22 June 2002 to 21 December 2002.

Schedule 1 Technical amendments

(see s 3)

[1.1] Section 3, definition of *government agency*, new note

insert

Note *Territory instrumentality* and *Territory owned corporation* are defined in the *Legislation Act 2001*, dict, pt 1.

Explanatory note

This amendment inserts a note about where to find the definitions of these terms.

[1.2] Section 3, definition of *Territory owned corporation*

omit

Explanatory note

This definition is being omitted because the term is now defined in the *Legislation Act 2001*, dictionary, part 1.

Endnote

Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

[Presentation speech made in Assembly on 22 August 2002]

I certify that the above is a true copy of the Public Access to Government Contracts Amendment Bill 2002 which was passed by the Legislative Assembly on 12 November 2002.

Clerk of the Legislative Assembly

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