

2002

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Treasurer)

## Public Access to Government Contracts Amendment Bill 2002

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# Public Access to Government Contracts Amendment Bill 2002

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## A Bill for

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

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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 June 2003, and each 6 month period after that.

- 1 **8B Chief executive officers must ensure compliance with Act**
- 2 (1) The chief executive officer of a government agency must ensure that
- 3 the agency complies with this Act.
- 4 (2) In this section:
- 5 *chief executive officer*, of a government agency, includes—
- 6 (a) for an administrative unit—the person employed under the
- 7 *Public Sector Management Act 1994*, section 28 (Engagement)
- 8 or section 30 (Temporary performance of duties) to perform
- 9 the duties of the office of chief executive of the unit; and
- 10 *Note* *Administrative unit* is defined in the *Legislation Act 2001*,
- 11 dict, pt 1.
- 12 (b) for a Territory instrumentality—the person responsible for
- 13 managing the instrumentality.
- 14 **8C Application of s 8A and s 8B**
- 15 (1) Sections 8A and 8B apply to the first 6 month period and each 6
- 16 month period after that.
- 17 (2) This section expires 1 year after the day the *Public Access to*
- 18 *Government Contracts Amendment Act 2002* commences.
- 19 (3) In this section:
- 20 *first 6 month period* means the period from 22 December 2002 to
- 21 21 June 2003.

## 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.

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## Endnote

### Republications of amended laws

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).