

GOVERNMENT PROCUREMENT (CAPITAL METRO) AMENDMENT BILL 2016

Introduction

This explanatory statement relates to the *Government Procurement (Capital Metro) Amendment Bill 2016* as presented to the Legislative Assembly. It has been prepared in order to assist the reader of the bill and to help inform debate on it. It does not form part of the bill and has not been endorsed by the Assembly.

The statement must be read in conjunction with the bill. It is not, and is not meant to be, a comprehensive description of the bill. What is said about a provision is not to be taken as an authoritative guide to the meaning of a provision, this being a task for the courts.

Overview of the Bill

This bill is intended to ensure that any contracts entered into by the ACT Government and which are related to light rail must be published, in full, on the ACT Contracts Register.

The bill does this by removing the ability of the ACT Government to prevent the publication of commercial-in-confidence provisions.

Clause Notes

Clause 1 Name of Act

This clause provides that the name of the Act is the *Government Procurement (Capital Metro) Amendment Act 2016*.

Clause 2 Commencement

This clause provides for the commencement of the Act on the day after its notification day.

Clause 3 Legislation Amended

This clause provides that the legislation mentioned in the clause is amended by the Act.

Clause 4 Definitions for pt 3 Section 24, definition of *confidential text*

The clause inserts a new definition for the term '*confidential text*' into the Act.

Clause 5 Section 24, new definitions

This clause inserts a definition for the term '*proposed light rail track*' and the term '*related to light rail*' into the Act.

Clause 6 Contents of register Section 28(1)

This clause inserts the term '*(other than a notifiable contract that is related to light rail)*' after the term '*each notifiable contract*' into Section 28(1) of the Act.

Clause 7 New section 28A

This clause inserts new section 28A into the Act.

New section 28A provides that the notifiable contracts register must include the following for each notifiable contract that is related to light rail:

- (a) the information described in section 28 (1) (a) to (g);
- (b) for a notifiable contract, and any notifiable amendment of the contract, held by the responsible Territory entity in electronic form—an electronic copy of the contract;
- (c) where anyone can obtain a printed copy of the contract as made and of any notifiable amendment to the contract;
- (d) anything else prescribed by regulation.

Clause 8 Dictionary, new definitions

The clause inserts the term '*proposed light rail track*' and the term '*related to light rail*' into the Dictionary of the Act.