

Government Procurement (Principles) (Ethical Suppliers) Amendment Guideline 2004 (No 1)

Disallowable Instrument DI2004-174

Explanatory Statement

Outline

The *Government Procurement Act 2001* (the Act) established the Government Procurement Board whose functions include the development, implementation and review of policies and practices for the procurement of goods, services and works by Territory entities.

Section 7 of the Act allows the Board to make procurement guidelines prescribing policies and practices that must be observed in the procurement of goods, services and works.

Subsection 7 (4) of the Act states that a procurement guideline is a disallowable instrument.

The Government Procurement (Principles) Guideline 2002 requires Territory entities to obtain value for money, act ethically, and ensure competition among potential suppliers when procuring goods or services. It also requires the consideration of environmental sustainability, risk management, local industry development and consideration of open source software when making procurement decisions.

This instrument amends the Principles Guideline adding an additional principle.

Details of the Government Procurement (Principles) (Ethical Suppliers) Amendment Guideline 2004 (No 1)

Formal Clauses

Clause 1

Names the Guideline.

Clause 2

States that the Guideline will commence on the day after notification.

Clause 3

Identifies the Disallowable Instrument (DI2002-58) that this instrument amends.

Substantive Clauses

Clause 4

Inserts definitions.

Clause 5

Adds an additional principle “(g) ethical suppliers”.

Clause 6

Provides details of requirements that each Territory Agency must ensure that they meet in their dealings with stakeholders and in tender processes, contract formation and contract management.

The clause also provides definitions of a range of terms used elsewhere in this clause.
