

2009

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**GOVERNMENT PROCUREMENT
AMENDMENT REGULATION 2009 (No. 1)**

SUBORDINATE LAW SL2009-17

EXPLANATORY STATEMENT

Presented by
Mr Jon Stanhope MLA
Minister for Territory and Municipal Services

Australian Capital Territory

Overview

This regulation is made under section 52 of the *Government Procurement Act 2001* and amends the quotation and tender thresholds as set by **Part 2 Government procurement – quotation and tender thresholds** of the *Government Procurement Regulation 2007* (Regulation).

The amended quotation and tender thresholds are:

- a Territory entity must seek one oral quotation for all procurements valued under \$25 000 (formerly \$5 000 for goods and services and \$20 000 for capital works);
- a Territory entity must seek a minimum of three written quotations for all procurements valued at \$25 000 or more and less than \$200 000 (formerly \$100 000); and
- a Territory entity must invite public tenders for all procurements valued at or above \$200 000.

CLAUSE NOTES

Clauses 1 ‘Name of regulation’ and 2 ‘Commencement’ are formal provisions. They set out the title of the regulation, and the commencement provisions.

Clause 3 ‘Legislation amended’ explains that this regulation amends the *Government Procurement Regulation 2007*.

Clause 4 ‘Section 5’ amends section 5 of the Regulation to set the number and type of quotations required for a procurement of goods, services or works with an estimated value of less than \$25 000.

Clause 5 ‘Section 6’ amends section 6 of the Regulation to set the number and type of quotations required for a procurement of goods, services or works with an estimated value of \$25 000 or more and less than \$200 000.

Clause 6 ‘Sections 7 and 8’ omits sections 7 and 8 from the Regulation.

Clause 7 ‘Section 9’ amends section 9 of the Regulation to require that a territory entity invites public tenders for a procurement of goods, services or works with an estimated value of \$200 000 or more.

Clause 8 ‘Section 10 (1)’ is a consequential amendment. Section 10 provides the circumstances in which a chief executive officer may exempt a territory entity from complying with the quotation and tender thresholds for a particular procurement. This clause amends the sections of the Regulation to which Section 10 refers.