

Australian Capital Territory

Government Procurement Appointment 2012 (No 1)

Disallowable instrument DI2012–178

made under the

Government Procurement Act 2001, s 12 (Appointment of members) and s 13 (Term of appointment of members)

EXPLANATORY STATEMENT

The *Government Procurement Act 2001* (the Act) provides for the creation of the Government Procurement Board (the Board), with the responsibility for reviewing and giving advice on procurement issues and procurement proposals and activities undertaken by territory entities in accordance with the *Government Procurement Regulation 2007*.

Section 12 of the Act enables the minister to appoint members and prescribes that a non-public employee member must not be a public employee.

Section 13 of the Act prescribes that a member must be appointed for a term of not longer than five years.

The minister has reappointed Ms Diane Fielding as a non-public employee member of the Government Procurement Board from 1 May 2012 until 30 April 2013.

As the appointee is not a public servant and this instrument makes an appointment to which the *Legislation Act 2001*, Division 19.3.3 applies, under the *Legislation Act 2001*, s.229 the instrument is a disallowable instrument.

This appointment has been approved by the Treasurer, and the Standing Committee on Public Accounts has been consulted in accordance with section 228 of the *Legislation Act 2001*.

With reference to Section 76 of the *Legislation Act 2001*, no person's rights have been prejudicially affected, nor any liabilities imposed on any person (other than the Territory or a Territory Authority) during this period of retrospectivity.