

Australian Capital Territory

Government Procurement (Secure Local Jobs) Code 2019

Disallowable instrument DI2019–47

made under the

Government Procurement Act 2001, s 22M (1) (Secure local jobs code)

EXPLANATORY STATEMENT

This purpose of this disallowable instrument is to make minor and administrative changes to the Secure Local Jobs Code (the Code).

The revisions made to the Code under this instrument are to clarify:

1. the definition of Subcontractor under section 2; and
2. the transitional provisions under section 19.

The purpose of the change to the definition of ‘Subcontractor’ under section 2 is to clarify that the term includes internal labour hire and equipment hire entities where they are part of the same business as the Code Certified Entity. This clarification will ensure the policy intention of the Code, to provide optimal labour standards for all workers on territory-funded work, is achieved.

The purpose of the change to section 19, the transitional provision, is to correct an unintended retrospective application of the Code.

This instrument revokes the *Government Procurement (Secure Local Jobs) Code 2019* (DI2018-283).

A RIS was prepared for the *Government Procurement (Secure Local Jobs) Code 2019* (DI2018-283) and supporting instruments in accordance with section 34 of the *Legislation Act 2001*. By virtue of section 36(e) of the *Legislation Act 2001*, a new RIS is not required because the changes are an amendment of a territory law that do not fundamentally affect the law’s application or operation. Instead, the changes provide further clarity as to the law’s application.