Procurement Act 2020

Procurement Regulations 2020

SL 2020/249

Made by the Governor in Executive Council.

1. Citation

These regulations are the Procurement Regulations 2020.

2. Commencement

These regulations come into operation as follows —

(a) regulations 1 and 2 — on the day on which these regulations are published in the Gazette;

(b) the rest of the regulations — on the day on which the Procurement Act 2020 section 41 comes into operation.

3. State agencies prescribed (Act s. 5(1)(c))

For the purposes of the Act, each of the following entities is prescribed to be a State agency —

(a) the Commissioner for Children and Young People appointed under the Commissioner for Children and Young People Act 2006 section 7(1);

(b) the Information Commissioner appointed under the Freedom of Information Act 1992 section 56(1);

(c) the Parliamentary Commissioner for Administrative Investigations appointed under the Parliamentary Commissioner Act 1971 section 5(1).

4. Transitional provisions for existing common use arrangements

(1) In this regulation —

existing common use arrangement means an arrangement —

(a) entered into by the State Supply Commission; and

(b) under which the State Supply Commission obtains from a supplier a standing contractual offer for the supply of goods or services to 1 or more public authorities or persons or bodies approved under section 23 of the former Act; and

(c) that is in force immediately before transition day;

former Act has the meaning given in section 40 of the Act;
public authority has the meaning given in section 3(1) of the former Act;

State Supply Commission has the meaning given in section 40 of the Act;

supply has the meaning given in section 3(1) of the former Act;

transition day has the meaning given in section 40 of the Act.

(2) On and after transition day, each existing common use arrangement is taken to be a common use contractual arrangement.

(3) Unless the parties to an existing common use arrangement agree otherwise on or after transition day, a reference to a potential customer in the existing common use arrangement is, despite any definition of the term in the existing common use arrangement, taken to be a reference to each State agency and authorised body (as those terms are defined in section 4(1) of the Act).

V. MOLAN, Clerk of the Executive Council.