Western Australia

Procurement Act 2020

Procurement Regulations 2020

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Contents

1. Citation 1

2. Commencement 1

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

4. Transitional provisions for existing common use arrangements 1

Notes

Compilation table 3

Defined terms

Procurement Act 2020

Procurement Regulations 2020

##### 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).

Notes

This is a compilation of the *Procurement Regulations 2020.* For provisions that have come into operation see the compilation table.

Compilation table

| **Citation** | **Published** | **Commencement** |
| --- | --- | --- |
| *Procurement Regulations 2020* | SL 2020/249 18 Dec 2020 | r. 1 and 2: 18 Dec 2020 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jun 2021 (see r. 2(b) and SL 2020/244 cl. 2(b)) |

Defined terms

*[This is a list of terms defined and the provisions where they are defined. The list is not part of the law.]*

**Defined term Provision(s)**

existing common use arrangement 4(1)

former Act 4(1)

public authority 4(1)

State Supply Commission 4(1)

supply 4(1)

transition day 4(1)