

SZ301*

State Supply Commission Act 1991

State Supply Commission Amendment Regulations 2002

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *State Supply Commission Amendment Regulations 2002*.

2. The regulations amended

The amendments in these regulations are to the *State Supply Commission Regulations 1991**.

[* *Published in Gazette 13 March 1992, p. 1206-7.*

For amendments to 29 January 2002 see 2000 Index to Legislation of Western Australia, Table 4, p. 336.]

3. Regulation 1A amended

- (1) Regulation 1A is amended by deleting the full stop and inserting a semicolon instead.
- (2) After the definition of “accountable officer” in regulation 1A the following definition is inserted —

“

“partial exemption” means a partial exemption from section 19(1) of the Act.

”.

4. Regulation 3 replaced

Regulation 3 is repealed and the following regulation is inserted instead —

“

3. Partial exemptions

- (1) The Commission must receive from a public authority a written request for the authority to be granted a partial exemption before the Commission grants the authority a partial exemption.
- (2) When deciding whether to grant a partial exemption, the extent of a prospective partial exemption, or the conditions on which or the period of time for which a partial exemption will be granted, the Commission shall have regard to —
 - (a) the public authority’s level of competence in relation to arranging and coordinating the supply of goods and services necessary for the operation of the authority; and
 - (b) the public authority’s risk management practices.
- (3) A public authority that is granted a partial exemption shall manage the supply of goods and services in accordance with the terms and conditions of the exemption.

”.

5. Regulation 4 replaced

Regulation 4 is repealed and the following regulation is inserted instead —

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4. Review of partial exemptions

- (1) Subject to subregulation (2), the Commission shall review a partial exemption granted to a public authority as provided in the terms and conditions of the exemption.
- (2) The Commission may, at any time, review a partial exemption granted to a public authority if the Commission is of the opinion that a review is required.
- (3) When reviewing a partial exemption granted to a public authority, the Commission shall have regard to the level of the authority's compliance with —
 - (a) supply policies;
 - (b) directions supplementing supply policies; and
 - (c) the terms and conditions of the exemption.

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By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.