



Western Australia

## **Procurement Regulations 2020**

Compare between:

[18 Dec 2020, 00-a0-00] and [01 Jun 2021, 00-b0-00]



## 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. ~~Have not come~~ Transitional provisions for existing common use arrangements

(1) In this regulation —

*existing common use arrangement* means an arrangement —

(a) entered into ~~operation.~~ 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. ~~For provisions that have not yet come into operation see the uncommenced provisions table.~~

### Compilation table

Citation	Published	Commencement
<i>Procurement Regulations 2020</i> <del>r. 1 and 2</del>	SL 2020/249 18 Dec 2020	<a href="#">r. 1 and 2</a> : 18 Dec 2020 (see r. 2(a)); <a href="#">Regulations other than r. 1 and 2</a> : 1 Jun 2021 (see r. 2(b) and <a href="#">SL 2020/244 cl. 2(b)</a> )

### ~~Uncommenced provisions table~~

~~To view the text of the uncommenced provisions see *Subsidiary legislation as made on the WA Legislation website*.~~

<del>Citation</del>	<del>Published</del>	<del>Commencement</del>
<del><i>Procurement Regulations 2020</i> r. 3 and 4</del>	<del>SL 2020/249 18 Dec 2020</del>	<del>1 Jun 2021 (see r. 2(b) and SL 2020/244 cl. 2(b))</del>