



Western Australia

Procurement Act 2020

Procurement Regulations 2020

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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
<i>Procurement Regulations 2020</i>	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)