



New South Wales

Public Sector Employment and Management Amendment (Procurement of Goods and Services) Regulation 2012

under the

Public Sector Employment and Management Act 2002

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Public Sector Employment and Management Act 2002*.

GREG PEARCE, MLC
Minister for Finance and Services

Explanatory note

The object of this Regulation is to provide for further transitional arrangements for the procurement of goods and services by government agencies as a consequence of the commencement of the *Public Sector Employment and Management Amendment (Procurement of Goods and Services) Act 2012* on 1 July 2012.

This Regulation is made under the *Public Sector Employment and Management Act 2002*, including section 151 and clause 1 (1) of Schedule 4.

2012 No 308

Clause 1 Public Sector Employment and Management Amendment (Procurement of Goods and Services) Regulation 2012

**Public Sector Employment and Management
Amendment (Procurement of Goods and Services)
Regulation 2012**

under the

Public Sector Employment and Management Act 2002

1 Name of Regulation

This Regulation is the *Public Sector Employment and Management Amendment (Procurement of Goods and Services) Regulation 2012*.

2 Commencement

This Regulation commences on 1 July 2012 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Public Sector Employment and Management Regulation 2009

[1] Clause 21D Savings (as inserted by Schedule 2 [1] to the Public Sector Employment and Management Amendment (Procurement of Goods and Services) Act 2012)

Insert “(the *amending Act*)” after “*Public Sector Employment and Management Amendment (Procurement of Goods and Services) Act 2012*” in clause 21D (1).

[2] Clause 21D (3)–(7)

Insert after clause 21D (2):

- (3) Clause 7 (3) of the repealed Regulation continues to apply to public sector agencies (within the meaning of the repealed Regulation) until 1 September 2012.
- (4) A direction issued by the State Contracts Control Board under clause 10 of the repealed Regulation and in force immediately before the commencement of the amending Act (including the direction described as the General Purchasing Delegation that took effect on 7 December 2010) is taken to be a direction issued by the NSW Procurement Board. Any such direction continues to apply to public sector agencies (within the meaning of the repealed Regulation) until 1 September 2012, unless sooner revoked by the NSW Procurement Board.
- (5) The Chairperson of the NSW Procurement Board may, until 1 September 2012, issue directions to government agencies under section 148 of the Act on behalf of the NSW Procurement Board.
- (6) Clause 20 of the repealed Regulation continues to apply to tenders and contracts to which Part 3 of the repealed Regulation applied immediately before the commencement of the amending Act until 1 September 2012.
- (7) A government agency that, immediately before the commencement of the amending Act, was accredited by the State Contracts Control Board to procure goods and services for that agency may continue to do so in accordance with the terms of that accreditation until 1 September 2012 or until the agency is accredited under an accreditation scheme established by the NSW Procurement Board, whichever occurs first.