



New South Wales

# Local Government (General) Amendment (Tendering, Accounting and Investigations) Regulation 2014

under the

Local Government Act 1993

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Local Government Act 1993*.

DON PAGE, MP  
Minister for Local Government

## Explanatory note

The objects of this Regulation are:

- (a) to update a reference to the trading name of a corporation that is currently prescribed as a person who may specify goods, materials or services to be purchased in a contract that will, as a result, be exempt from the requirement that councils must invite tenders before entering into certain contracts (a reference to Strategic Purchasing is replaced with Procurement Australia to reflect a change of the trading name of MAPS Group Limited (ABN 45 058 335 363)), and
- (b) to require a member of the staff of a council who has control of any of the council's accounting records to produce those records for inspection and audit in proper order whenever directed to do so by the Director-General of the Department of Premier and Cabinet or the Director-General's delegate or subdelegate, rather than by a Departmental representative, as at present, and
- (c) to provide that the Director-General or certain delegates or subdelegates of the Director-General, rather than a Departmental representative, are required to table a report of an investigation into any aspect of a council or of its work or activities at a council meeting (to reflect the fact that it is now the Director-General, and not a Departmental representative, who conducts such investigations).

This Regulation is made under the *Local Government Act 1993*, including sections 55 (3) (a) and 748 (the general regulation-making power) and item 5A of Schedule 6.

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### **1 Name of Regulation**

This Regulation is the *Local Government (General) Amendment (Tendering, Accounting and Investigations) Regulation 2014*.

### **2 Commencement**

This Regulation commences on the day on which it is published on the NSW legislation website.

### **3 Amendment of Local Government (General) Regulation 2005**

#### **(1) Clause 163 Application of Part**

Omit “Strategic Purchasing” from clause 163 (1A) (ii).

Insert instead “Procurement Australia”.

#### **(2) Clause 196 Definitions**

Omit the definition of *Departmental representative*.

#### **(3) Clause 208 Production of accounting records**

Omit “a Departmental representative” from clause 208 (a).

Insert instead “the Director-General or a person to whom the Director-General’s functions under section 430 of the Act have been delegated or subdelegated under section 745 of the Act”.

#### **(4) Clause 208 (b)**

Omit “or Departmental representative”.

Insert instead “, the Director-General or such a delegate or subdelegate”.

#### **(5) Clause 244 Report of Director-General to be tabled at council meeting**

Omit “a Departmental representative”.

Insert instead “the Director-General or a person to whom the Director-General’s functions under section 430 of the Act have been delegated or subdelegated under section 745 of the Act”.