

Australian Capital Territory

# Government Procurement (Non-public Employee Member) Appointment 2013 (No 1)

Disallowable instrument DI2013–195

made under the

Government Procurement Act 2001, section 12 (appointment of members)

## EXPLANATORY STATEMENT

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The *Government Procurement Act 2001* (the Act) establishes the Government Procurement Board (the Board), with the responsibility for reviewing and giving advice on procurement issues, procurement proposals and activities undertaken by territory entities subject to the *Government Procurement Regulation 2007*.

Section 12 of the Act enables the minister to appoint members and prescribes that a non-public employee member must not be a public employee. Section 13 of the Act prescribes that a member must be appointed for a term of not longer than five years.

In accordance with the Act, the Minister has made the following appointments of non-public employee members:

- (1) Richard Bear from 20 May 2013 to 19 May 2016;
- (2) Roger Broughton from 20 May 2013 to 19 May 2016;
- (3) Diane Fielding from 1 May 2013 to 30 April 2015; and
- (4) Bob Samarcq from 1 May 2013 to 30 April 2014.

As the appointees are not public servants the *Legislation Act 2001*, Division 19.3.3 applies. Under the *Legislation Act 2001*, section 229 the appointment instrument is a disallowable instrument.

This appointment has been approved by the Treasurer, and the Standing Committee on Public Accounts has been consulted in accordance with section 228 of the *Legislation Act 2001*.

With reference to section 76 of the *Legislation Act 2001*, no person's rights have been prejudicially affected, nor any liabilities imposed on any person (other than the Territory or a Territory Authority) during this period of retrospectivity.