



Australian Capital Territory

Government Procurement (Secure Local Jobs) Amendment Regulation 2018 (No 1)

Subordinate Law SL2018-22

The Australian Capital Territory Executive makes the following regulation under the *Government Procurement Act 2001*.

Dated 22 November 2018.

RACHEL STEPHEN-SMITH
Minister

YVETTE BERRY
Minister



Australian Capital Territory

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1 Name of regulation

This regulation is the *Government Procurement (Secure Local Jobs) Amendment Regulation 2018 (No 1)*.

2 Commencement

- (1) This regulation (other than schedule 1) commences on 15 January 2019.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

- (2) Schedule 1 commences on the commencement of the *Government Procurement (Secure Local Jobs) Amendment Act 2018*, schedule 1.

3 Legislation amended

This regulation amends the *Government Procurement Regulation 2007*.

4 Part 3 heading

substitute

Part 3 Procurement proposals

5 New part 4 etc

before section 12A, insert

Part 4 Secure local jobs code

**12AC Labour relations, training and workplace equity plan—
Act, s 22G (6) (b)**

- (1) A tenderer's labour relations, training and workplace equity plan must state the following:
- (a) how the tenderer will incorporate compliance with the code into its systems of work, operating procedures and policies;
 - (b) how the tenderer will ensure that all the tenderer's directors, executive managers and employees understand the tenderer's obligations under the code;
 - (c) how the tenderer will ensure that its subcontractors comply with the code;
 - (d) whether and how the tenderer will minimise insecure work arrangements, including the use of insecure work arrangements by any of its subcontractors;
Examples—insecure work arrangements
 - temporary employment arrangements
 - casual employment arrangements
 - (e) how the tenderer will support the physical and mental health of its employees, including with any health and well-being activities, to reduce the impact and incidence of impairment in the workplace;

- (f) how the tenderer will promote and support diversity in the tenderer's workforce;

Examples—promoting and supporting diversity

policies or strategies to address barriers to employment, or career development, for Aboriginal or Torres Strait Islander people, women, people with disability and people from culturally and linguistically diverse backgrounds

- (g) if the plan is submitted in relation to a procurement for services or works being provided by an existing contractor—whether and how the tenderer will support transmission of the existing contractor's employees to the tenderer;
 - (h) if the plan is submitted in relation to a procurement valued at \$5 million or more—
 - (i) how the tenderer will provide workers in the ACT and surrounding region with the opportunity to apply for employment before undertaking recruitment outside the region; and
 - (ii) what training will be available to the tenderer's employees for their career development and to help them attain externally-recognised qualifications; and
 - (iii) whether the tenderer will provide internships, traineeships, cadetships or apprenticeships.
- (2) The plan must be developed in consultation with the tenderer's employees and include a statement about how this has been done.

12AD Details for secure local jobs code register—Act, s 22N (1) (c)

The following details are prescribed for each secure local jobs code certificate:

- (a) the identifying number for the certificate;
- (b) the period for which the certificate has been granted under the [Act](#), section 22J;
- (c) the name of the approved auditor that completed the report under the [Act](#), section 22I (2) (a) that was included with the application for the certificate;
- (d) if the secure local jobs code certificate is held by an entity other than an individual—the entity’s business address, phone number and email address.

Part 5 Notifiable contract, notifiable amendment and notifiable invoice thresholds

6 New part 6 heading

before section 13, insert

Part 6 Miscellaneous

Schedule 1 Delayed amendment

(see s 3)

[1.1] New sections 12AA and 12AB

in part 4, insert

12AA Prescribed value of services or works—Act, s 22F (1) (a) (ii)

The prescribed amount is \$200 000.

12AB Excluded services or works—Act, s 22F (3)

- (1) The following services are prescribed:
 - (a) information media and telecommunications services within the meaning of the ANZSIC, Division J;
 - (b) rental, hiring and real estate services within the meaning of the ANZSIC, Division L;
 - (c) financial and insurance services within the meaning of the ANZSIC, Division K;
 - (d) professional, scientific and technical services within the meaning of the ANZSIC, Division M.

- (2) In this section:

ANZSIC means the Australian and New Zealand Standard Industrial Classification 2006 as in force from time to time.

Note The ANZSIC is available free of charge at www.abs.gov.au.

Endnotes

1 Notification

Notified under the [Legislation Act](#) on 22 November 2018.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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