

NORTHERN TERRITORY OF AUSTRALIA

PROCUREMENT AMENDMENT (QUOTES FOR SUPPLIES)  
REGULATIONS 2009

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Subordinate Legislation No. 7 of 2009

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Subordinate Legislation No. 7 of 2009\*

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## ***Procurement Amendment (Quotes for Supplies) Regulations 2009***

I, Thomas Ian Pauling, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Procurement Act*.

Dated 30 March 2009

T. I. PAULING  
Administrator

By His Honour's Command

C. B. BURNS  
Minister for Business

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\* Notified in the *Northern Territory Government Gazette* on 30 March 2009.

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**1 Citation**

These Regulations may be cited as the *Procurement Amendment (Quotes for Supplies) Regulations 2009*.

**2 Regulations amended**

These Regulations amend the *Procurement Regulations*.

**3 Amendment of regulation 2 (Definitions)**

(1) Regulation 2

*omit*

In these Regulations, unless the contrary intention appears –

*substitute*

In these Regulations:

(2) Regulation 2

*insert (in alphabetical order)*

**public quote** means a quote submitted as the result of a public invitation for the submission of quotes.

**4 Repeal and substitution of regulation 4 (Requirements for tier one, tier two and tier three supplies)**

Regulation 4

*repeal, substitute*

**4 Requirements for tier one, tier two and tier three supplies**

(1) Subject to these Regulations, before an amount is expended on a tier one, tier two or tier three supply, the Accountable Officer must:

- (a) for a tier one supply – obtain at least 1 written quote; or
- (b) for a tier two supply – obtain written quotes from at least 3 established suppliers; or
- (c) for a tier three supply – obtain public quotes.

(2) If the Accountable Officer is satisfied it is not practicable to comply with subregulation (1)(b) or (c), the Accountable Officer may invite the number of written quotes the Officer considers it is practicable to obtain.

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- (3) However, the Accountable Officer may invite written quotes for a tier three supply only with the endorsement of a Procurement Review Board.
  - (4) The Accountable Officer must record in writing the reason for acting under subregulation (2).
  - (5) An Accountable Officer must, if required by a Procurement Review Board, give the Board full details of any contract arranged as the result of a quote for a tier one, tier two or tier three supply.

**5 Amendment of regulation 5 (Requirements for tier four and tier five supplies)**

Regulation 5(2)

*omit, substitute*

- (2) The tenders must be public tenders unless a certificate of exemption under regulation 8 authorises otherwise.

**6 Amendment of regulation 8 (Certificate of exemption)**

Regulation 8(2)(b)

*omit, substitute*

- (b) for tier four and five supplies – with the approval of the Agency Minister.

**7 Repeal and substitution of regulation 10 (Details of certain contracts to be published)**

Regulation 10

*repeal, substitute*

**10 Details of certain contracts to be published**

- (1) The Accountable Officer must publish details of a contract for a supply in the *Gazette*.
- (2) However, publication is not required if:
  - (a) the supply is a tier one supply; or
  - (b) the supply is provided by the Territory, Commonwealth or a State or another Territory; or
  - (c) the supply is obtained under an existing contract; or

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- (d) the Minister is satisfied publication is contrary to the public interest.