



New South Wales

Local Government (General) Amendment (Tendering) Regulation 2006

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*.

KERRY HICKEY, M.P.,
Minister for Local Government

Explanatory note

Section 55 of the *Local Government Act 1993* requires a council to invite tenders before entering into certain contracts. However, section 55 (3) of that Act enables contracts to be excluded from the tendering requirements. These include contracts for the purchase of goods, materials or services specified by a prescribed person.

The object of this Regulation is to prescribe Local Government Procurement Partnership (a partnership involving the Local Government Association of New South Wales and the Shires Association of New South Wales) as such a person. The prescription includes any duly appointed agent of Local Government Procurement Partnership.

This Regulation also amends the *Local Government (General) Regulation 2005* to correct an incorrect cross-reference.

This Regulation is made under the *Local Government Act 1993*, including sections 55 and 748 (the general regulation-making power).

Clause 1 Local Government (General) Amendment (Tendering) Regulation 2006

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1 Name of Regulation

This Regulation is the *Local Government (General) Amendment (Tendering) Regulation 2006*.

2 Amendment of Local Government (General) Regulation 2005

The *Local Government (General) Regulation 2005* is amended as set out in Schedule 1.

Local Government (General) Amendment (Tendering) Regulation 2006

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 75A Approval required for domestic greywater diversion

Omit “(1) (c)” from clause 75A (3). Insert instead “(2) (c)”.

[2] Clause 163 Application of Part

Insert after clause 163 (1):

- (1A) For the purposes of the first bullet point paragraph of section 55 (3) of the Act, Local Government Procurement Partnership (ABN 34 578 553 267) is prescribed.
- (1B) To avoid doubt, a reference to Local Government Procurement Partnership includes for the purposes of subclause (1A) a reference to any duly appointed agent of Local Government Procurement Partnership.