

South Australia

State Procurement Regulations 2005

under the *State Procurement Act 2004*

Contents

- 1 Short title
- 3 Interpretation
- 4 Bodies declared to be prescribed public authorities (section 4 of Act)
- 5 Exclusions from definition of procurement operations (section 4 of Act)

Schedule 1—Prescribed public authorities

Legislative history

1—Short title

These regulations may be cited as the *State Procurement Regulations 2005*.

3—Interpretation

In these regulations—

Act means the *State Procurement Act 2004*.

4—Bodies declared to be prescribed public authorities (section 4 of Act)

Each of the bodies specified in Schedule 1 is declared to be a *prescribed public authority* for the purposes of the Act.

5—Exclusions from definition of procurement operations (section 4 of Act)

- (1) For the purposes of the definition of *procurement operations* in section 4 of the Act, the following are excluded from the definition:
 - (a) a prescribed construction project of a cost exceeding \$150 000;
 - (b) the provision of funding to a third party by a public authority that, in accordance with Treasurer's instructions, is classified as a grant.
- (2) A *prescribed construction project*—
 - (a) is a project that primarily involves the procurement of construction work; and
 - (b) encompasses—
 - (i) the acquisition and installation of fixtures, plant, equipment, appliances and fittings in conjunction with the construction work; and
 - (ii) the acquisition of survey, planning, design and other services in conjunction with the construction work; and

- (c) does not encompass the acquisition of goods and services for the ongoing maintenance of a building or structure.
- (3) In this regulation—
- building work* has the same meaning as in the *Building Work Contractors Act 1995*;
- construction work* means—
- (a) building work; or
- (b) the whole or part of the work of excavating or filling of land not constituting building work;
- Treasurer's instructions* means instructions issued by the Treasurer under Part 4 of the *Public Finance and Audit Act 1987*.

Schedule 1—Prescribed public authorities

Adelaide Venue Management Corporation
Architectural Practice Board of South Australia
Construction Industry Training Board
Health Services Charitable Gifts Board
Legal Profession Conduct Commissioner
Local Government Finance Authority of South Australia
Motor Accident Commission
Return to Work Corporation of South Australia
South Australian Forestry Corporation
South Australian Housing Trust
South Australian Water Corporation
Superannuation Funds Management Corporation of South Australia
Urban Renewal Authority

Legislative history

Notes

- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of these regulations (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Revocation of regulations

The *State Procurement Regulations 2005* were revoked by Sch 2 of the *State Procurement Regulations 2020* on 1.9.2020.

Legislation revoked by principal regulations

The *State Procurement Regulations 2005* revoked the following:

State Supply Regulations 1996

Principal regulations and variations

Year	No	Reference	Commencement
2005	201	<i>Gazette 15.9.2005 p3347</i>	4.10.2005: r 2
2006	20	<i>Gazette 2.2.2006 p430</i>	2.2.2006: r 2
2006	256	<i>Gazette 30.11.2006 p4167</i>	30.11.2006: r 2
2009	6	<i>Gazette 29.1.2009 p490</i>	29.1.2009: r 2
2009	244	<i>Gazette 1.10.2009 p4769</i>	1.10.2009: r 2
2013	267	<i>Gazette 5.12.2013 p4447</i>	5.12.2013: r 2
2014	66	<i>Gazette 5.6.2014 p2242</i>	1.7.2014: r 2
2016	33	<i>Gazette 26.5.2016 p1893</i>	26.5.2016: r 2
2017	78	<i>Gazette 7.6.2017 p2051</i>	1.7.2017: r 2
2018	190	<i>Gazette 19.7.2018 p2888</i>	19.7.2018: r 2
2018	254	<i>Gazette 20.12.2018 p4362</i>	1.1.2019: r 2

Provisions varied

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
r 2	<i>omitted under Legislation Revision and Publication Act 2002</i>	2.2.2006
r 4	varied by 256/2006 r 4(1)—(3) substituted by 6/2009 r 4	30.11.2006 29.1.2009

	varied by 244/2009 r 4(1), (2)	1.10.2009
	substituted by 267/2013 r 4	5.12.2013
r 5		
r 5(1)	substituted by 254/2018 r 4(1)	1.1.2019
r 5(3)		
Treasurer's instructions	inserted by 254/2018 r 4(2)	1.1.2019
r 6	<i>inserted by 20/2006 r 4</i>	2.2.2006
	<i>deleted by 78/2017 r 4</i>	1.7.2017
Sch 1	omitted under <i>Legislation Revision and Publication Act 2002</i>	2.2.2006
	inserted by 267/2013 r 5	5.12.2013
	varied by 66/2014 r 4	1.7.2014
	varied by 33/2016 r 4(1)—(3)	26.5.2016
	varied by 190/2018 r 4	19.7.2018

Historical versions

2.2.2006
30.11.2006
29.1.2009
1.10.2009
5.12.2013
1.7.2014
26.5.2016
1.7.2017
19.7.2018