

Public Governance, Performance and Accountability (Procurement) Repeal Instrument 2017 Explanatory Statement

The *Public Governance, Performance and Accountability (Procurement) Repeal Instrument 2017* is made under section 105B of the *Public Governance, Performance and Accountability Act 2013*.

Subsection 105B(1) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) provides the Finance Minister with the power to, by written instrument, make provision about procurement. Under subsection 33(3) of the *Acts Interpretation Act 1901*, the power to make an instrument includes the power to vary or revoke the instrument.

As per s105B(2) of the PGPA Act, instruments made under s105B(1) of the PGPA Act are not subject to section 42 (disallowance) of the *Legislative Instruments Act 2003*.

This instrument will give effect to repealing the Commonwealth Procurement Rules (F2014L00912) on 1 March 2017, and the Commonwealth Procurements Rules (F2016L01831) on the day after this instrument is registered. These instruments are being repealed as they will be replaced by a new version of the Commonwealth Procurement rules from 1 March 2017.

Consultation

The Minister for Finance approved this repeal instrument.

No consultation was undertaken as the repeal instrument is consequential to there being new Commonwealth Procurement Rules issued.