

Commonwealth Procurement Rules Explanatory Statement

The Commonwealth Procurement Rules are issued by the Minister for Finance under s105B(1) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act). As per s105B(2) of the PGPA Act, the instrument is not subject to section 42 (disallowance) of the *Legislative Instruments Act 2003*. This instrument commences on 20 April 2019 and repeals the previous Commonwealth Procurement Rules (F2018L01522).

The updated CPRs incorporate the requirements of Australia's international trade obligations and government policy in procurement into a set of rules, which apply to Commonwealth procurement. The CPRs apply to procurement conducted by non-corporate Commonwealth entities and certain procurements conducted by prescribed corporate Commonwealth entities as listed in section 30 of the PGPA Rule.

The updates to the CPRs reflect Australia's domestic review obligations on government procurement under the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) and the World Trade Organization Agreement on Government Procurement (WTO GPA), and include other minor changes to the CPRs for clarity.

The CPRs are supported by guidance available at <http://www.finance.gov.au/procurement/>.

Consultation

The Minister for Finance and the Public Service approved the amendments to the CPRs.

The Department of Finance consulted with the Department of Foreign Affairs and Trade and the Attorney-General's Department in relation to international obligations incorporated in the CPRs. All affected Commonwealth entities subject to the CPRs were consulted on the changes through the Senior Procurement Officials Reference Group.