

Mr Andrew Young
Clerk of the Legislative Council
Parliament House, Spring Street
EAST MELBOURNE VIC 3002

Dear Mr Young

VICTORIAN GOVERNMENT PURCHASING BOARD CLASS OF ENTITIES AS SPECIFIED ENTITIES

I am writing on behalf of the Victorian Government Purchasing Board (VGPB) to advise that, by Order of the Governor-in-Council, a class of entities has been declared as specified entities pursuant to section 54AA of the *Financial Management Act 1994*. This declaration was published in the Victoria Government Gazette on 29 April 2021 and will take effect on 1 July 2021.

In accordance with the *Subordinate Legislation Act 1994*, I hereby request that the attached Order of the Governor-in-Council be laid on the table of the Legislative Council.

I have made a similar request to the Clerk of the Legislative Assembly.

Please find enclosed:

- Order by Governor-in-Council
- Consultation Certificate
- Exemption Certificate
- Human Rights Certificate.

Should you have any queries regarding these documents, please do not hesitate to contact the Procurement Policy and Reform Team at the Department of Treasury and Finance on 7005 9138 or email vgpb@dtf.vic.gov.au.

Yours sincerely



Nadine Lennie
Chair, Victorian Government Purchasing Board
29/04/2021

Order by Governor-in-Council

Financial Management Act 1994

ORDER TO DECLARE A CLASS OF ENTITIES AS SPECIFIED ENTITIES

Order in Council

The Governor in Council pursuant to section 54AA of the **Financial Management Act 1994** (Act) declares a class of entities to be specified entities for the purposes of Part 7A of that Act.

The class of specified entities comprises each 'public body' as defined in the Act, where the relevant public body's transactions form part of the transactions of the State for the purposes of section 24(2)(b) of the Act, except any of the following:

- (a) a university within the meaning of section 1.1.3(1) of the **Education and Training Reform Act 2006**;
- (b) a 'public hospital' as defined in the **Health Services Act 1988**;
- (c) a 'health or related service' as defined in the **Health Services Act 1988**;
- (d) a 'school council' as defined in the **Education and Training Reform Act 2006**;
- (e) an incorporated committee of management - excluding Phillip Island Nature Park Board of Management Inc;
- (f) a 'Class B cemetery trust' as defined in the **Cemeteries and Crematoria Act 2003**;
- (g) a 'registered unit' as defined in the **Victoria State Emergency Service Act 2005**; and
- (h) a 'volunteer brigade' as defined in the **Country Fire Authority Act 1958**.

This legislative instrument comes into effect on 1 July 2021.

Dated: 27 April 2021

Responsible Minister:

THE HON. DANNY PEARSON MP

Assistant Treasurer

SAMUAL WALLACE
Acting Clerk of the Executive Council



Office of the Hon. Danny Pearson MP

Assistant Treasurer
Minister for Regulatory Reform
Minister for Government Services
Minister for Creative Industries

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Subordinate Legislation Act 1994

CONSULTATION CERTIFICATE

(Section 12C)

ORDER DECLARING CLASS OF SPECIFIED ENTITIES FOR THE PURPOSES OF PART 7A OF THE FINANCIAL MANAGEMENT ACT 1994

I, Danny Pearson, Assistant Treasurer, and Minister responsible for administering Part 7A of the **Financial Management Act 1994**, certify that there has been consultation in accordance with the guidelines made under the **Subordinate Legislation Act 1994** with every other Minister whose area of responsibility may be affected by the proposed class of specified entities and there is no overlap nor conflict with any other existing or proposed legislative instrument, other legislation or stated government policy.

Dated: 10/04/2021

THE HON. DANNY PEARSON MP
Assistant Treasurer



The Hon. Danny Pearson MP

Assistant Treasurer
Minister for Regulatory Reform
Minister for Government Services
Minister for Creative Industries

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Subordinate Legislation Act 1994

EXEMPTION CERTIFICATE

(Section 12F)

ORDER DECLARING CLASS OF SPECIFIED ENTITIES FOR THE PURPOSES OF PART 7A OF THE FINANCIAL MANAGEMENT ACT

I, Danny Pearson, Assistant Treasurer, and Minister responsible for administering Part 7A the **Financial Management Act 1994**, certify under section 12F(1)(a) of the **Subordinate Legislation Act 1994** that in my opinion, the proposed Order would not impose a significant economic or social burden on a sector of the public.

The reasons for forming this opinion are that the number of hours that an agency would need to spend on the additional work was estimated conservatively and multiplied by the hourly wage of the VPS officer level 5 likely to perform the work. The number of hours per agency on average was estimated to be 217 hours per year and the hourly wage estimated at \$61.92 (discounted at 4 per cent social discount rate) resulting in average annual net present value cost of \$1.37 million for 126 agencies which is below Better Regulation Victoria's indicative threshold of \$2 million per year.

Accordingly, a Regulatory Impact Statement is not required for this legislative instrument.

Dated: 10/04/2021

THE HON. DANNY PEARSON MP
Assistant Treasurer



The Hon. Danny Pearson MP

Assistant Treasurer
Minister for Regulatory Reform
Minister for Government Services
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Subordinate Legislation Act 1994

HUMAN RIGHTS CERTIFICATE

(Section 12D)

ORDER DECLARING A CLASS OF SPECIFIED ENTITIES FOR THE PURPOSES OF PART 7A OF THE FINANCIAL MANAGEMENT ACT 1994

I, Danny Pearson, Assistant Treasurer and Minister responsible for administering Part 7A of the **Financial Management Act 1994**, certify under section 12D of the **Subordinate Legislation Act 1994** that, in my opinion the proposed Order does not limit any human rights set out in **the Charter of Human Rights and Responsibilities Act 2006**.

Dated: 10/04/2021

Yours sincerely

THE HON. DANNY PEARSON MP
Assistant Treasurer