



ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: TRSY2025/3194

Ms Sandra Lambert AM
Chair, ACT Remuneration Tribunal
PO Box 964 CIVIC SQUARE,
ACT 2608

By email only: remtrib@act.gov.au

Dear Ms Lambert

Submission from Procurement ACT re: ACT Government Procurement Board – Chairperson remuneration

I write to you seeking the Tribunal's consideration of an increase in the remuneration of the Chairperson of the ACT Government Procurement Board (Board). This reflects a significant increase in the Chairperson's workload, of up to three times the hours per week necessary to undertake the role, following changes to the procurement framework that took effect on 1 July 2024. No increase is sought for other members of the Board at this time.

Background

1. The Board was established in accordance with the *Government Procurement Act 2001* (Act).
2. The procurement landscape in the Territory was substantially changed under the Procurement Reform Program, which commenced in 2022. Most notably:
 - a. substantial amendments to the Act and the *Government Procurement Regulation 2007* (Regulation) took effect on 1 July 2024, which relevantly enhanced the functions of the Board and broadened the categories of procurement which are referred to the Board for review by the Board (see paragraph 3 below); and
 - b. Terms of Reference and Strategic Direction for the Board were issued as Ministerial directions in August 2024, specified additional obligations in relation to the Board's discharge of its functions.
3. The purpose and functions of the Board are now specified in section 29 of the Act, and in Part 5 of the Regulation. The functions of the Board, which are broader than previously, are now to:
 - a. review and make recommendations regarding specified procurements;



- b. review and endorse procurement practices;
 - c. to recommend that the Minister give a direction about government procurement practices to Territory entities;
 - d. provide advice to the Minister on any issue relevant to the procurement activities of Territory entities or the operation of the Act; and
 - e. exercise any other function given to the board under the Act or any other Territory law.
4. Further to paragraphs 1(a) and 2(a), the Board reviews the following categories of higher value and/ or higher risk procurements:
 - a. procurements that are in the planning period and have an estimated total consideration of \$7 million or more;
 - b. procurements that are in the planning period and for which at least one of the following applies:
 - i. there are significant concerns about probity;
 - ii. the procurement relates to information and communications technology that includes an element of system development or redesign;
 - iii. the procurement is a new standing-offer arrangement; or
 - iv. the procurement proposes to substantially change the scope or nature of an existing procurement contract;
 - c. procurements that have been undertaken but a procurement contract has not yet been entered into and for which there are significant concerns about probity;
 - d. procurements that are referred to the Board by the minister or other specified entities; and/ or
 - e. procurements that the Board considers should be reviewed.
5. Relevantly under the Terms of Reference, the Board is required to perform the role of the Governing Body under the Goods and Services Accreditation Program (Accreditation Program).
6. The Accreditation Program commenced on 1 July 2024 and the objective of the Accreditation Program is to ensure that Territory entities have the capability and capacity to undertake procurement in an efficient and effective manner that pursues value for money.
7. To discharge this function, the Board evaluates and endorses levels of accreditation for Territory entities, based on advice and support provided by the Accreditation team within the Chief Minister, Treasury, and Economic Development Directorate. Procurement ACT's Accreditation team supports the Board to perform its purpose, as the Governing Body.



8. Relevantly under the Accreditation Program:
 - a. accreditation levels are applied for and awarded by the Board every three years, commencing in 2024; and
 - b. accreditation levels are additionally reviewed annually by the Board.
9. The Accreditation Program has added significantly to the Board's remit, in circumstances where the Board has never previously had such a role; and
10. Board members are currently remunerated as part-time public office holders in accordance with Determination 15 of 20244 Part-time Public Office Holders (Determination).

Chairperson level of responsibility and work

11. Following the commencement of new legislation from 1 July 2024 and the Terms of Reference and Strategic Direction, the current Chairperson is the first Chairperson that is a non-public employee.
12. The Chairperson performs an extensive range of tasks to lead the Board's performance of its functions, including:
 - a. chairing the Board's weekly meetings (of approximately 2 hours each) in which proponents present procurement proposals to the Board and the Board considers accreditation applications, attendance at a pre-meeting (with other Board members) and post-meeting (with the Secretariat) for each weekly meeting, and other Board meetings as required. Each Board meeting requires significant preparation by the Chairperson to:
 - i. ensure that materials provided by proponents are in good order and sufficiently clear and complete;
 - ii. seek additional or amended documents, or clarifications from proponents ahead of the relevant Board appearance, where required;
 - iii. identify any potential conflicts of interest relevant to Board members;
 - iv. identify issues and risks for discussion at both the pre-meeting and during the weekly meeting with proponents;
 - v. propose recommendations for consideration by the Board; and
 - b. ensuring that Board meetings are conducted so as to meet the Board's legislative functions and in accordance with the Terms of Reference and Strategic Direction;



- c. determining procurement proposals suitable for out-of-session review;
 - d. conducting out-of-session reviews which requires:
 - i. reviewing materials provided by Territory entities;
 - ii. identifying potential conflicts and risks;
 - iii. conferring with Board members as required; and
 - iv. preparing recommendations for consideration by the Board.
 - e. drafting or settling annual reporting, as well as reporting required under the Terms of Reference and Strategic Direction, and consulting with Board members as required for same;
 - f. oversight of data collection for the Board;
 - g. reviewing and refining Board recommendations and minutes, ahead of consideration by other Board members;
 - h. acting as the point of contact for issues concerning and raised by Board members, including conflict of interest issues;
 - i. regular meetings with the Board Secretariat and Procurement ACT officers supporting procurement of other Territory entities and whole of government arrangements;
 - j. planning for strategic Board meetings, including meetings with Procurement ACT and the Secretariat to discuss required materials, presentations, on-the-day support and logistical arrangements; and
 - k. other activities on behalf of the Board as required, for example, acting as the point of contact in relation to proposed legislative amendments that will affect the Board, delivering training to procurement officers, attending meetings, preparing articles, and settling ad hoc advice to Territory entities.
13. Prior to 1 July 2024, the Chairperson was undertaking approximately 5-10 hours of work per week to perform her duties. The Chairperson is currently undertaking approximately 15-20 hours of work per week to perform her duties. This increase in workload is substantially driven by the procurement proposals reviewed out of session and the review of accreditation applications. The review of accreditation applications is a function that commenced on 1 July 2024. The out of session reviews commenced in July 2024 as a means of managing the volume of lower value, lower risk procurements requiring Board review, allowing the Board to focus its in-session reviews on high value, higher risk matters.



14. The below table outlines the volume increase in the workload:

	22/23 FY	23/24 FY	24/25 FY* (As at 20/6/2025)
Procurement proposals reviewed in session	79	95	88
Procurement proposals reviewed out of session	0	0	26
Weekly meetings with Secretariat (after the weekly board meetings and the Wednesday prior to the board meeting.)	33	46	43
Accreditation applications reviewed	0	0	26
Reports	1	1	3
Strategic meetings	1	1	3

Comparative data or examples from Australian jurisdictions to support recommended increase to remuneration

15. Jurisdictions that have procurement boards or committees that perform a range of functions related to procurement (Similar Boards) include New South Wales (including at the local government level), Victoria, Tasmania, Western Australian, Queensland, and the Northern Territory. Procurement ACT has conducted a jurisdictional analysis to understand relevant arrangements for Similar Boards.

16. Feedback received about Similar Boards indicates that:

- a. the Board has a much higher meeting frequency than most Similar Boards;
- b. the Board has a higher hourly commitment per year than most Similar Boards; and
- c. most Similar Boards have a narrower remit than the Board, particularly taking into account the Board's role as Governing Body for the Accreditation Program.



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The impact on the ACT Public Service and the ACT community

17. The Board has a high-profile and performs a crucial role to support capability uplift across the ACT Public Service. As the Reform Program concludes, the Board is an integral part of the Procurement Framework, ensuring that Territory entities continuously and consistently apply better practice and pursue excellence in procurement.
18. Noting the increased workload of the Board, it is essential that the Board continues to be able to attract high quality members, particularly in its leadership. This provides the community with confidence in the Procurement Framework.

I thank the Tribunal in advance for its consideration of this submission.

Yours sincerely,

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Date 17 July 2025