

**TREASURER'S INSTRUCTION**  
**FINANCIAL MANAGEMENT ACT 2016**  
**PROCUREMENT FRAMEWORK - COVID-19 EMERGENCY PROCUREMENT**  
**MEASURES**

**EFFECTIVE DATE**

20 November 2020

**SCOPE**

This Treasurer's Instruction applies to all Agencies listed in Column 1 of Schedule 1, Part 1 in the *Financial Management Act 2016*.

**APPLICATION**

At all times.

**OBJECTIVE**

To provide information on alternative procurement and contracting processes for procurement impacted by novel coronavirus (COVID-19) or by measures taken in connection with COVID-19.

**INSTRUCTION**

- 1.1 Notwithstanding the requirements contained in the Treasurer's Instructions in relation to procurement (contained in TI PF-1 to PF-5; TI PP-1 to PP-5 and TI C-1), an Accountable Authority is permitted:
- 1.1.1 to approve modified procurement and contracting processes for urgent procurement of goods and services or works related to the implementation of Government measures, in connection with COVID-19, including measures that are necessary to protect:
- a. human, animal or plant life or health;
  - b. public order or safety; or
  - c. essential security; and
- 1.1.2 provided the procurement is not a *covered procurement*, to approve modified procurement and contracting processes for goods, services or works, in connection with programs delivered to stimulate the economy or to support businesses and persons impacted by COVID-19.

- I.2 When undertaking a procurement under this Instruction, an Accountable Authority must:
  - I.2.1 ensure value for money in the circumstances;
  - I.2.2 maintain ethical standards;
  - I.2.3 ensure conflicts of interests, or any perception of a conflict of interest, is appropriately managed; and
  - I.2.4 maximise opportunities for local businesses where practicable.
- I.3 The Accountable Authority must:
  - I.3.1 not authorise the procurement of goods or services that exceed the needs of the Government's response to the COVID-19 emergency; and
  - I.3.2 use reasonable efforts to ensure that contracts do not contain automatic renewal provisions.
- I.4 In this Instruction, modified procurement and contracting processes includes direct and limited sourcing.
- I.5 Appropriate documentation regarding the procurement must be maintained, including details of awarded contracts and must be reported on the Tenders website within a reasonable period.

#### **ADDITIONAL GUIDANCE**

Further information in support of this Treasurer's Instruction can be found in the Procurement Framework Better Practice Guideline - COVID-19 Emergency Procurement Measures.