



## Table of changes to the CPRs – Commencing 20 April 2019

CPR change	General comment
Foreword	Updated the commencement date and repealed CPRs.
Procurement framework (2.6)	Added new text and a footnote to clarify that the CPRs do not apply to the extent that measures outlined in paragraph 2.6 are applied, which means that such procurements are not covered procurements for the purposes of the <i>Government Procurement (Judicial Review) Act 2018</i> (GPJR Act).
Procurement (2.7)	<p>Narrowed the definition of procurement to those aspects covered by Australia’s international obligations.</p> <p>Moved ‘the delivery for the goods and services’ and the ‘ongoing management of the contract’, including the ‘consideration of disposal of goods’, which is now covered as part of the procurement lifecycle in paragraph 2.10 of the CPRs.</p>
Procurement (new 2.10)	New paragraph to clarify that those aforementioned elements of the procurement definition, which were moved in order to avoid being captured by the GPJR Act, are still important elements in achieving the objectives of the procurement.
Figure 1: Legislation and policy	Included reference to the GPJR Act.
Compliance with the two divisions of the CPRs (3.5 and 3.6)	Language modified to provide clarity on the application of exemptions.
Using an Appendix A exemption (3.9)	<p>New text has been added requiring relevant Commonwealth entities, when applying an Appendix A exemption, to comply with the rules in Division 1 for all procurements, except for paragraphs 4.7, 4.8, and 7.26, as those paragraphs have not previously applied to these Appendix A exemptions.</p> <p>Also provides clarity that in some circumstances, entities may voluntarily follow the processes and principles of Division 2.</p>

CPR change	General comment
Broader benefits to the Australian economy (4.7 – 4.8)	Moved paragraphs 10.32-10.33 of the CPRs from Division 2 to Division 1 to ensure broader benefits to the Australian economy is not caught by the GPJR Act. Also amended paragraph 4.7 to correctly reference value for money (paragraphs 4.4-4.6), to encompass procurements above \$7.5 million for construction services, and to exclude procurements covered by Appendix A and/or standing offers, so as to not increase the scope of the provision now that it is in Division 1.
Small and Medium Enterprises (new 5.7)	Following government announcement, inclusion of an augmented SME target has been added to the CPRs.
Judicial Review (new 6.9)	To ensure compliance with international obligations, a new paragraph has been added to clarify that paragraphs 4.18, 5.4, 7.2, 7.10, 7.13 – 7.18, 7.20, and 9.3 – 9.6 in Division 1 of the CPRs, are declared to be relevant provisions for the purposes of paragraph (a) of the definition of relevant CPRs in section 4 of the GPJR Act.
Accountability and transparency (section 7)	Update to the title to reflect this section incorporates accountability and transparency for both procurement and contract management.
Contract management/Standard verification (new 7.26)	Moved paragraph 10.39 of the CPRs from Division 2 to Division 1 to ensure contract management and standard verification is not caught by the GPJR Act.
Procurement thresholds (9.7)	Minor amendment to the language in paragraph 9.7 of the CPRs in order to be consistent with the direction of paragraph 3.9 of the CPRs.
Conditions for limited tender (10.4)	Amended paragraph reference for 'Awarding <i>contracts</i> ' to 10.35 of the CPRs due to paragraph reordering.
Specifications (10.11)	Changed paragraph reference from paragraph 10.39 to paragraph 7.26 of the CPRs to reflect the updated location of contract management and standard verification.
Appendix A: Exemptions from Division 2	Added text to state Appendix A procurements are exempt from Division 2, however are required to be undertaken in accordance with the rules of Division 1, excluding paragraphs 4.7, 4.8 and 7.26, as those paragraphs have not previously applied to these Appendix A exemptions.