

**Version No. 005**  
**Victorian Industry Participation Policy Act**  
**2003**

**No. 72 of 2003**

Version incorporating amendments as at  
1 December 2013

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Version No. 005

**Victorian Industry Participation Policy Act  
2003**

No. 72 of 2003

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**The Parliament of Victoria enacts as follows:**

**1 Purposes**

The purposes of this Act are—

- (a) to provide for the development and implementation of a Victorian Industry Participation Policy; and
- (b) to require reports to Parliament on the policy's implementation and government agencies' compliance with it.

**2 Commencement**

- (1) Subject to subsection (2), this Act comes into operation on a day or days to be proclaimed.
- (2) If a provision of this Act does not come into operation before 1 January 2004, it comes into operation on that day.

**3 Definitions**

- (1) In this Act—

*agency* means—

- (a) a department; or
- (b) a public body—

within the meaning of the **Financial Management Act 1994**;

S. 3(1) def. of  
*Department*  
amended by  
Nos 43/2012  
s. 3(Sch.  
item 56.1),  
70/2013  
s. 4(Sch. 2  
item 55.1).

***Department*** means Department of State  
Development, Business and Innovation;

***local industry*** means industry and other  
businesses based in Australia or New  
Zealand;

***VIPP*** means Victorian Industry Participation  
Policy under section 4.

S. 3(2)  
amended by  
Nos 43/2012  
s. 3(Sch.  
item 56.2),  
70/2013  
s. 4(Sch. 2  
item 55.2).

- (2) If the name of the Department of State  
Development, Business and Innovation is  
changed, a reference in the definition of  
***Department*** in subsection (1) to that Department  
is taken, after the change, to be a reference to the  
Department by its new name.

#### **4 The Victorian Industry Participation Policy**

- (1) The Victorian Government must develop and  
implement a policy with respect to the  
participation by local industry in projects,  
developments, procurements and other initiatives  
undertaken or funded (whether wholly or  
partially) by the State.
- (2) The policy is to be known as the Victorian  
Industry Participation Policy.
- (3) The policy may include guidelines as to its  
application and procedures to be followed in  
complying with it.

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## **5 VIPP objectives**

In developing the VIPP, regard must be had to the following objectives—

- (a) promoting employment and business growth by expanding market opportunities for local industry;
- (b) providing contractors with increased access to, and raised awareness of, local industry capability;
- (c) exposing local industry to world's best practice in workplace innovation, e-commerce and use of new technologies and materials;
- (d) developing local industry's international competitiveness and flexibility in responding to changing global markets by giving local industry a fair opportunity to compete against foreign suppliers.

## **6 VIPP principles**

The VIPP is to take into account and be consistent with the following principles relating to procurement, tendering and the provision of financial assistance by the State—

- (a) value for money should be the primary consideration in purchasing and supply decisions;
- (b) tendering mechanisms and processes should be open, clear and accountable.

## **7 VIPP to be consistent with other requirements**

The VIPP must be consistent with—

- (a) any supply policies under section 54L of the **Financial Management Act 1994**; and

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- (b) any standards or directions under Part 4 of the **Project Development and Construction Management Act 1994**; and
  - (c) the obligations of the State under any conventions, treaties or other international agreements to which Australia is a party.

### **8 Publication of VIPP**

The Minister must ensure that the VIPP, including any guidelines referred to in section 4(3), as in force from time to time, is—

- (a) available for public inspection, free of charge, at the principal offices of the Department and the Victorian Government Purchasing Board during ordinary office hours; and
- (b) published on an Internet site.

### **9 Agencies to report on compliance with VIPP**

- (1) Each agency must include in its report of operations under Part 7 of the **Financial Management Act 1994** a report on the agency's compliance with the VIPP in the financial year to which the report of operations relates.
- (2) Directions under section 8 of the **Financial Management Act 1994** may include directions as to the form and content of the report required by subsection (1).

### **10 Minister to report on implementation of VIPP**

- (1) The Minister must make a report to Parliament for each financial year on the implementation of the VIPP during that year.
- (2) The report is to be in the form, and contain the information, determined by the Minister.

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- (3) The Minister must cause the report for a financial year to be laid before each House of Parliament on or before 30 November next following that financial year.

**11 Agencies to provide information to Minister**

An agency must, on request, provide the Minister with any information the Minister requires for the purpose of making a report under section 10.

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## ENDNOTES

### 1. General Information

*Minister's second reading speech—*

*Legislative Assembly: 5 June 2003*

*Legislative Council: 7 October 2003*

The long title for the Bill for this Act was "to provide for the development and implementation of a Victorian Industry Participation Policy and require reports to Parliament on the policy's implementation and government agencies' compliance with it and for other purposes."

The **Victorian Industry Participation Policy Act 2003** was assented to on 14 October 2003 and came into operation on 1 January 2004: section 2(2).

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## 2. Table of Amendments

This Version incorporates amendments made to the **Victorian Industry Participation Policy Act 2003** by Acts and subordinate instruments.

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### **Statute Law Revision Act 2012, No. 43/2012**

*Assent Date:* 27.6.12  
*Commencement Date:* S. 3(Sch. item 56) on 28.6.12: s. 2(1)  
*Current State:* This information relates only to the provision/s amending the **Victorian Industry Participation Policy Act 2003**

### **Statute Law Revision Act 2013, No. 70/2013**

*Assent Date:* 19.11.13  
*Commencement Date:* S. 4(Sch. 2 item 55) on 1.12.13: s. 2(1)  
*Current State:* This information relates only to the provision/s amending the **Victorian Industry Participation Policy Act 2003**

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**3. Explanatory Details**

No entries at date of publication.