

**Version No. 001**

**Victorian Industry Participation Policy Act  
2003**

**Act No. 72/2003**

Version as at 1 January 2004

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**Act No. 72/2003**

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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 sub-section (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**;

**"Department"** means Department of Innovation, Industry and Regional Development;

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

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

- (2) If the name of the Department of Innovation, Industry and Regional Development 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.

#### **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;
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- (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
- (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 sub-section (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.
- (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).

**2. Table of Amendments**

There are no amendments made to the **Victorian Industry Participation Policy Act 2003** by Acts and subordinate instruments.

**3. Explanatory Details**

No entries at date of publication.