

House of Representatives

# Supplementary Order Paper

Wednesday, 18 September 2019

New Zealand Infrastructure Commission/Te Waihanga Bill

*Proposed amendments*

Andrew Bayly, in Committee, to move the following amendments:

*Clause 10*

In *clause 10(c)* (page 4, line 29), replace “subparts 3 and 4” with “subparts 3, 4, and 4A”.

*New subpart 4A*

After *clause 22* (page 7, after line 18), insert:

Subpart 4A—Reports into procurement processes

**22A Power to review procurement processes**

- (1) The Commission may undertake a review of the procurement processes used by an entity listed in **section 23(5)** in respect of an infrastructure project that entity is responsible for and report to the Minister.
- (2) A review under this section may, without limitation, include a review of:
  - (a) the procurement policies and practices of the entity;
  - (b) any identified risk factors and how they were allocated between the contracting parties;
  - (c) any funding and financing models relied on by the entity;
  - (d) any whole-of-life commercial considerations taken into account by the entity.

- (3) A report on a review under this section may include recommendations for improvements to the entity's procurement processes to comply with best practice.
- (4) This section does not limit the Commission's functions under **sections 9 and 10**.

**22B Commission must publish report**

- (1) The Commission may provide its report under this subpart to the responsible Minister.
- (2) The Commission must publish every report that is provided to the Minister under this subpart on an Internet site maintained by or on behalf of the Commission as soon as practicable after providing the report to the Minister.

**Explanatory note**

This Supplementary Order Paper extends the functions of the Commission to undertake reviews of particular infrastructure projects to ensure that the procurement processes used by the entity responsible are fit for purpose.