



Transport

GIPA ACT – OPEN ACCESS INFORMATION GOVERNMENT CONTRACTS

Background

Section 6(1) of the *Government Information (Public Access) Act 2009* (the GIPA Act) requires NSW Government agencies to make “Open Access Information” (OAI) publicly available, unless there is an overriding public interest against disclosure. Section 18(d) of the GIPA Act lists six types of OAI. Included in the list of OAI is an agency’s register of government contracts with private sector organisations.

Where To Find Details Of Transport for NSW’s Contracts?

Transport for NSW uploads all relevant contract details on to the ‘contract notices’ section of the NSW eTendering website. The ‘contract notices’ include all relevant contractual details, as required in the GIPA Act. You can search for Transport for NSW’s contract details, by clicking on the following link:

<https://tenders.nsw.gov.au/nsw/?event=public.CN.search>

What Information Is Made Public?

The eTendering website provides details of contracts over \$150,000 between NSW Government agencies and private sector organisations. While not an exhaustive list, NSW Government agencies must outline the following:

- Value of the contract
- Name and business address of contractor
- Effective date of contract
- Particulars of the project undertaken
- Estimated amount payable to the contractor
- Description of variation or renegotiation provisions in the contract
- Method of tendering and assessment criteria
- Description of operational or maintenance services.

Additional information is required in certain situations. There are also time sensitive requirements concerning the publication of certain contractual details. In the case of a contract valued over \$5 million, the agency must publish a copy of the contract.

What Information Is Not Made Public?

Agencies are not required to publish confidential information in their contracts register. Examples include commercial-in-confidence provisions of a contract, details of an unsuccessful tender or any information for which there is an overriding public interest against disclosure. However, agencies are required to provide reasons why contractual details are not disclosed, among other information.

How To Access Transport for NSW Information

If you have any questions in relation to access applications or decisions, obtaining information under the GIPA Act or other similar matters, please do not hesitate to contact the Principal Manager, Information on (02) 8202 3768. You may also write to the Principal Manager, Information on gipa@transport.nsw.gov.au or c/- Transport for NSW c/- PO Box K659. Haymarket NSW 1240.