

PRESENTERS



John Buick-Constable, Ministry of Business, Innovation & Employment, Wellington

John is an experienced corporate, commercial and public sector lawyer. Before joining the public sector, John worked for leading commercial law firms in New Zealand and London. John advises the New Zealand Government on its collaborative procurement and property activities and initiatives, and manages the legal function for New Zealand Government Procurement and the Government Property Group.



Jessica Gorman, Crown Law Office, Wellington

Jessica Gorman is a Senior Crown Counsel (Public Law) at the Crown Law Office. Jessica joined Crown Law in 2008 from private practice and was the Team Manager of the Revenue team from July 2013 – August 2016. Jessica has an LLM from Harvard Law School and is co-author of McGechan on Procedure, with a particular focus on judicial review. In her role Jessica provides professional leadership, representation and advice to Ministers, government departments and some Crown agencies.

The statements and conclusions contained in this paper are those of the author(s) only and not those of the New Zealand Law Society. This booklet has been prepared for the purpose of a Continuing Legal Education course. It is not intended to be a comprehensive statement of the law or practice, and should not be relied upon as such. If advice on the law is required, it should be sought on a formal, professional basis.

CONTENTS

GOVERNMENT PROCUREMENT – WHAT ARE THE RULES AND WHO ENFORCES THEM?	1
INTRODUCTION	1
PART I: GOVERNMENT RULES OF SOURCING	2
PRINCIPLES OF GOVERNMENT PROCUREMENT	3
<i>Who do the Rules apply to?</i>	3
<i>When do the Rules apply?</i>	4
<i>What do the Rules require?</i>	4
<i>Legal status of the Rules</i>	5
PART II: JUDICIAL REVIEW OF PROCUREMENT DECISIONS.....	6
THE LANDSCAPE PRIOR TO PROBLEM GAMBLING	7
<i>Problem Gambling (HC)</i>	8
<i>Problem Gambling (CA)</i>	8
FUTURE CHALLENGES	10