



## CHAPTER 54.

**An Act to provide for the Establishment of a Commission to control the Purchase of Supplies required in the Public Service of the Province.**

[Assented to March 18th, 1943.]

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

1. This Act may be cited as the “Purchasing Commission Act.” Short title.
2. In this Act, unless the context otherwise requires:— Interpretation.
  - “Commission” means the Purchasing Commission established pursuant to this Act:
  - “Supplies” means goods, chattels, materials, and personal property of every kind, including goods required to be manufactured, or on which or in relation to which any labour or skill is required to be expended before, upon, or after delivery to the Government; and includes fixtures and furnishings for buildings and office furniture and equipment for offices throughout the Province.
3. There shall be in the Treasury Department a Commission to be known as the “Purchasing Commission” (hereinafter called the “Commission”), which shall consist of three members to be appointed by the Lieutenant-Governor in Council. Purchasing Commission.
4. The Commission shall be directly responsible to the Legislative Assembly; and the members of the Commission shall hold office during good behaviour but shall be removable by the Lieutenant-Governor in Council on address of the Legislative Assembly. Commission responsible to Legislative Assembly.

Duties of Commission.

5. It shall be the duty of the Commission:—

- (a.) To purchase or otherwise acquire the supplies required in the public service of the Province, including public institutions under the administration of the Provincial Government (hereinafter called “public institutions”):
- (b.) To direct the establishment, maintenance, and operation of depots or warehouses wherein supplies of the Government may be stored and from which they may be distributed:
- (c.) To furnish advice and assistance to the Government departments and public institutions to the end that supplies of the most advantageous and suitable type on an economical basis may be utilized and that, where desirable, uniformity may be attained:
- (d.) To supervise and control the distribution of supplies to all Government departments, public institutions, and buildings throughout the Province.

No purchases except in accordance with Act.

6. The Government shall not nor shall any person on its behalf purchase or otherwise acquire any supplies except in accordance with the provisions of this Act.

Requisitions for supplies.

7. When supplies are required by or for any Government department or for any public institution the following provisions shall apply, and shall be observed by the Commission, and by every department and public institution:—

- (a.) When any department, public institution, or employee requires any supplies a requisition specifying the requirements shall be delivered to the Commission:
- (b.) Every requisition shall be signed by the Minister in charge of the department affected or of the public institution, or by his deputy or other person authorized to sign on behalf of the Minister:
- (c.) The Commission shall not act upon any requisition until it is satisfied that there is in existence an appropriation available for the purpose, or that other financial provision therefor is made in accordance with law:
- (d.) The Commission may, where it deems it advisable, require the person making the requisition to satisfy it as to the necessity for the acquisition of the supplies requisitioned:
- (e.) The Commission may fill the requisition from stock on hand, or in such other manner as it deems advisable; and it may, where it deems it advisable, authorize the person making the requisition or some other person to purchase or acquire the supplies direct from any suitable source.

8. If, during circumstances of war emergency, the Commission is satisfied that the acquisition of supplies essential to the services of the Province may be jeopardized by delay in purchasing, the Commission may enter into advance negotiations with suppliers and, if necessary, place firm orders to the end that the delivery of essential supplies may not be interrupted by reason only of the absence of appropriations covering the proposed expenditures. War emergency.

9. Notwithstanding any of the provisions of this Act, the Commission shall have power to give a preference in favour of goods produced, manufactured, or sold within the Province; and in the case of goods required within a local area of the Province, in favour of goods produced, manufactured, or sold within that area. Preference to local manufacturers, etc.

10. In purchasing or acquiring supplies the Commission may avail itself of the services of any person in the employment of the Government or of any public institution, and may delegate to such person the power to purchase or acquire supplies on behalf of the Commission. Delegation of power.

11. All supplies requisitioned shall, when the requisition is filled, be charged to the department or public institution making the requisition; and the Commission may make rules prescribing the manner in which charges shall be made and accounts adjusted. Supplies charged to departments.

12. The provisions hereinbefore contained shall not apply in any case of urgency; and the Commission shall have power to make regulations:— Purchases in case of urgency.

- (a.) Defining what circumstances constitute a case of urgency:
- (b.) Prescribing what purchases or class of purchases may be made otherwise than through the Commission in a case of urgency:
- (c.) Prescribing what officials or employees may make purchases otherwise than through the Commission in a case of urgency, and the rules to be followed by them in making such purchases:
- (d.) Prescribing when and what reports are to be rendered to the Commission in relation to any purchase made in a case of urgency.

13. The Commission shall obtain or cause to be obtained whenever or wherever practicable competitive prices of all supplies purchased by it and shall keep records of the prices. Competitive prices.

- Purchases in bulk.** 14. Where the Commission is of the opinion that purchases in bulk of supplies not immediately required would be advantageous and desirable it may make such purchases and retain the supplies in stock.
- Return of supplies no longer required.** 15. The Commission may require any department of Government or public institution to return to the Commission any supplies no longer required by such department or public institution; and credit on an equitable basis shall be given in respect of supplies returned.
- Establishment of standards.** 16. The Commission may establish a standard for supplies in use in the public service and in public institutions, and to that end may make or procure tests, examinations, or analyses.
- Forms.** 17. The Commission may prescribe forms of contracts to be used in the purchase of supplies for the public service and public institutions.
- Records and inventories.** 18. The Commission shall keep adequate records of all its transactions and shall direct the manner in which inventories shall be prepared.
- Records to be maintained by departments.** 19. The Commission may direct that such records as it deems advisable, including perpetual inventory records, be maintained in Government departments and in public institutions so as to ensure the effective control and preservation of the furniture, equipment, consumable stores, and supplies belonging to the Government and to public institutions.
- Disposal of Government property.** 20. The Commission may sell, lease, or otherwise dispose of any tangible personal property of the Government no longer required in the public service.
- Annual report.** 21. The Commission shall present to the Legislative Assembly an annual report of the business of the Commission.
- Appointment of staff.** 22. Such officers, clerks, and employees as are required for carrying out the provisions of this Act may be appointed pursuant to the provisions of the "Civil Service Act," all of whom shall hold office during pleasure; and the Commission in carrying out its functions may delegate to such officers such duties as it may think advisable, expedient, or necessary.
- Salaries.** 23. The salaries of the Commission shall be determined by the Lieutenant-Governor in Council and shall be payable monthly.

24. All moneys necessary to pay the salaries of the members and employees of the Commission and to meet the expenses necessarily incurred in the carrying-out of this Act shall, in the absence of a vote of the Legislature for that purpose, be paid from the Consolidated Revenue Fund. Payment from  
Consolidated Revenue  
Fund.

25. (1.) Section 7 of the "Audit Act," being chapter 19 of the "Revised Statutes of British Columbia, 1936," is amended by striking out "the Purchasing Agent" in the fourth line. Repeal.

(2.) Section 10 of said chapter 19 is amended by striking out "and 'Purchasing Agent'" in the second line.

26. (1.) Section 44 of the "Public Works Act," being chapter 236 of the "Revised Statutes of British Columbia, 1936," is amended by striking out "property, real or personal" in the first line of subsection (1), and by substituting the words "real property." Repeal.

(2.) Said section 44 is further amended by striking out subsection (2) thereof.

27. This Act shall not apply to the Workmen's Compensation Board or to the Liquor Control Board. Application.

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VICTORIA, B.C. :

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