

DEFENCE REFORM ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2: Single Source Contracts

Section 41: Single source contract regulations: time limits and determinations

140. **Part 2** allows for various applications, references and appeals to be made to the SSRO. These include an application to determine appropriate adjustments to the contract profit rate (section 18(3)), an application to determine the extent to which a cost is an allowable cost (section 20(5)), a reference to determine the amount of a TCIF adjustment (section 16(2)(b)), or an appeal by a prospective sub-contractor as to whether a proposed contract would be a qualifying sub-contract (section 29(5)).
141. *Subsection (1)* provides for the time period in which any such application, reference or appeal may be made to be specified in the SSCRs.
142. *Subsection (2)* provides that where the SSRO makes a determination it must have regard to any matters specified in the SSCRs, though this does not restrict the SSRO from considering any other matter it considers relevant in making a determination.