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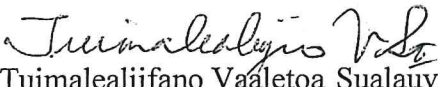
PUBLIC FINANCE MANAGEMENT (GOVERNMENT VEHICLES) AMENDMENT REGULATIONS 2024

Arrangement of Provisions

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PURSUANT to section 126 of the Public Finance Management Act 2001 ("Act"), I, **TUIMALEALIIF ANO VAALETOA SUALAUVI II**, Head of State, acting on the advice of Cabinet, **MAKE** these Regulations:-

DATED this ...th... day of ...**AUGUST**... 2024.


(Tuimalealiifano Vaaletoa Sualauvi II)
HEAD OF STATE

REGULATIONS

1. Citation and commencement - These Regulations may be cited as the Public Finance Management (Government Vehicles) Amendment Regulations 2024, and commence on the date they are made by the Head of State.

2. Interpretation - In these Regulations, unless the context otherwise requires -

"principal Regulations" means the Public Finance Management (Government Vehicles) Regulations 2015 and as amended by the Public Finance Management (Government Vehicles) Amendment Regulations 2019.

3. Regulation 2 amended - In regulation 2 of the principal Regulations, in the definition of "prohibited accessory or part":

- (a) amend paragraph (a) to insert", except if permitted under regulation 12A" after "window tint"; and
- (b) omit paragraph (e).

4. Regulation 3 amended - Regulation 3 of the principal Regulations is amended as follows:

(a) for regulation 3(2)(a), substitute as follows:

"(a) for a Cabinet Minister, Chief Justice, Speaker of the Legislative Assembly, Leader of the Opposition in Parliament and President of the Land and Titles Court, entitle to a

Standard Full-Size Four-Wheel Drive
Prado SUV (not fully loaded);"; and

(b) in regulation 3(2)(b):

(i) in paragraph (iii), omit "the Speaker
and"; and

(ii) repeal paragraph (iv); and

(iii) insert after paragraph (iv) a
new paragraph:

"(v) a Chief Executive Officer;"; and

(c) for regulation 3(2)(c), substitute as follows:

"(c) for a Judge of the Supreme Court, the
District Court or the Family Court, entitle
to a Standard Small-Size Four-Wheel
Drive SUV.";

(d) in regulation 3(3), insert after "relevant
Ministry" the words "from its budget
output and not from any project or donor
funds,".

5. Regulation 3B substituted - For regulation
3B of the principal Regulations, substitute:

"3B. Dissolution of Parliament - (1) Following
the dissolution of Parliament, the following office
holders must return the allocated vehicle to the
relevant Ministry or public body, within 1 week
from the date of dissolution of Parliament:

(a) an Associate Minister (also known
as Parliamentary Under-
Secretary); and

(b) the Speaker and Deputy Speaker
of Parliament; and

(c) the Leader of Opposition.

6. New regulation 3D inserted - After regulation
3C, insert new regulations as follows:

"3D. Vacancy of office- (1) An office holder
must return the allocated vehicle within 1 week from
the date that either event occurs:

(a) he or she is removed or suspended
or terminated; or

(b) he or she resigns from office; or

(c) his or her term of office expires; or

(d) he or she is not re-appointed or re-
elected; or

(e) he or she dies; or

(f) there is a change in official responsibilities or portfolio.

(2) Despite subregulation (1), where a Chief Executive Officer is under investigation and suspended, he or she must return the allocated vehicle after 1 month from the effective date of the suspension.

(3) The requirements under these Regulations continue to apply where relevant."

7. Regulation 4 amended - In regulation 4 of the principal Regulations insert a new subregulation (7) as follows:

"(7) The Chief Executive Officer (or Acting Chief Executive Officer) may authorise in writing the use of any vehicle for any other task (other than for official matters) provided that:

- (a) the use of the vehicle for such task is along the same area as the intended area for an official matter; or
- (b) the use of the vehicle for such task does not affect the Chief Executive Officer's (or Acting Chief Executive Officer's) commitment to official duties; and
- (c) the relevant requirements and conditions under these Regulations for use of the vehicle are adhered to."

8. Regulation 4A amended-In regulation 4A(1)(a) of the principal Regulations, after "official matters" insert ", a task authorised under regulation 4(7)".

9. Regulation 9 amended - Regulation 9 of the principal Regulations is amended as follows:

- (a) in subregulation (1), substitute fullstop at the end of paragraph (e) with ";" and insert new paragraph (f):

"(f) the Chief Executive Officer of the Land Transport Authority."; and

- (b) repeal subregulation (2).

10. Regulation 12 amended- In regulation 12(2), omit "side steps or".

11. New regulation 12A inserted -After regulation 12 of the principal Regulations, insert:

"12A. Tinted windows prohibited - (1)

The responsible Chief Executive Officer, including any office holder, are prohibited from adding, affixing or installing tints on windows of a vehicle, unless permitted under these Regulations.

(2) The responsible Chief Executive Officer may add or affix tinted windows to the allocated vehicle of the following office holders:

- (a) Head of State;
- (b) Cabinet Minister.

(3) The responsible Chief Executive Officer must ensure that any vehicle, including the Chief Executive Officer's allocated vehicle, must not be added or affixed with tinted windows unless approved by the Task Force for reasons of necessity.

(4) The responsible Chief Executive Officer must comply with any requirements as determined by the Task Force in its assessment of the request."

12. General amendments - Any references to "Standard" and "not fully loaded" in the principal Regulations are omitted wherever appearing.

13. Schedule 2 substituted - For Schedule 2 of the principal Regulations, substitute as follows:

"SCHEDULE 2

(Regulation 7)

BUYING OF VEHICLES (OR PARTS OF VEHICLES)

1. Any Ministry or public body that wishes or intends to buy a vehicle (or any part or component of a vehicle) must submit a Paper to Cabinet for final endorsement and must include a Treasury Report from the Ministry of Finance. A request submitted to Cabinet without the required reports shall not be accepted for Cabinet's discussion, and deferred until the Ministry or public body obtains the required reports.
2. A Ministry or public body that wishes or intends to buy a specialised vehicle (or any part or component of a vehicle) must:
 - (a) submit a request to the Task Force for a report from the Task Force in regards

to any specialised vehicle or other relevant policy and requirements under these Regulations; and

- (b) submit a request (accompanied by a copy of the Task Force's report in paragraph (a)) to the Ministry of Finance for a Treasury Report on the cost effectiveness and appropriateness of procurement of a specialised vehicle (or a part or component of a vehicle).

"Specialised vehicle" in this part means a vehicle which is used exclusively for official or business purposes, and has been modified or specialised through the addition of equipment, and other permanently attached tools, and performs specific and specialised functions, and as determined by the Task Force from time to time.

For instance, specialised vehicles used by the health services, fire and emergency services, police, prisons and corrections services and such like services.

- 2.1 Once the reports required under item 2 have been acquired, the Ministry or public body must submit a Paper (accompanied by both reports required in item 1) to Cabinet for final endorsement. A request submitted to Cabinet without the required reports shall not be accepted for Cabinet's discussion, and deferred until the Ministry or public body obtains the required reports.
- 3. A request in item 1 or 2:
 - (a) must be in writing and set out the following:
 - (i) a list of current vehicles used by the Ministry or public body; and
 - (ii) reasons why a particular type of vehicle (or part or component) is requested; and
 - (iii) any other matter required by the Chief Executive Officer of the Ministry of Finance; and
 - (b) must, in the case of a public body, be accompanied by the relevant approval of the board.
- 4. Upon receipt of a request (and relevant reports) in item 1 or 2, the Cabinet shall discuss and deliberate.

5. Once a decision is reached, the Cabinet shall issue a Directive to effect its decision.
 6. If Cabinet declines a request, its decision is final.
 7. If Cabinet approves a request, the Ministry or public body proceeds with the purchase of the requested vehicle (or part or component of vehicle) if there are available funds.
 8. For the purchase of any vehicle by a Ministry or public body:
 - (a) the Treasury Instructions shall apply; and
 - (b) despite the threshold requirement in the B4 Schedule of the Treasury Instructions, any procurement by a public body relating to a vehicle (or part or component of a vehicle) must be in line with the procedure set out in this Schedule."
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