

# Procurement Policy

This policy supersedes all previous versions and is valid until further notice.

## Purpose

Toitū Te Whenua Land Information New Zealand is a public entity, spending money from taxpayers and third-party fee payers. This means that our decisions and practices must be able to withstand Parliamentary and public scrutiny.

This policy sets out the principles of best practice, minimum standards, and expectations for the procurement of goods, services or works. It applies to everyone employed or authorised to act for Toitū Te Whenua.

## Policy

This policy and its principles ensure we achieve great outcomes from procurement activities and the management of our third-party contracts.

Procurement covers all aspects of the acquiring and delivery of [goods](#), [services](#) or [works](#). It starts with identifying the need and finishes with either the end of the contract or the end of the useful life and subsequent disposal of an asset.

Our procurement decisions will be based on maximising public value for money and ensuring that open, fair and transparent commercial and [procurement processes](#) and [procedures](#) are followed.

## Who this applies to

This policy applies to all staff, contractors, consultants, and anyone authorised to act on behalf of Toitū Te Whenua. It applies whether they are permanent or fixed term, and whether or not they are in New Zealand.

This policy applies to all procurement activity **except**:

- a. the recruitment of permanent or fixed term staff
- b. the engagement of resources covered by the [Contractor and Consultants Policy](#).
- c. expenditure covered under the [Sensitive Expenditure Policy](#), including gifts and donations
- d. disposal and sales by tender
- e. investments, loans and guarantees

- f. any form of unconditional grants including sponsorship
- g. statutory appointments
- h. ministerial appointments
- i. core Crown legal matters
- j. public prosecutions as defined in section 5 of the Criminal Procedure Act 2011.

# 1 Policy in detail

## 1.1 Policy statements

- All procurement activity should align with the Toitū Te Whenua values: Bold, Expert, Stronger Together.
- All procurement must apply and adhere to the six [Principles of Government Procurement](#):
  - a. Plan and manage for great results
  - b. Be proportionate and right-size the procurement
  - c. Be fair to all suppliers
  - d. Get the right supplier
  - e. Get the best deal for everyone
  - f. Play by the rules
- All procurement must ensure the delivery of public value as established in the [Government Procurement Charter](#). The Charter expects Toitū Te Whenua to:
  - a. Deliver economic benefits to New Zealand
  - b. Look for new and innovative solutions
  - c. Engage with businesses with responsible business practices
  - d. Promote inclusive economic development within New Zealand
  - e. Manage risk appropriately
  - f. Encourage collaboration for collective impact
- All procurement activity, irrespective of value must follow a standard approach, adhering to the [Government Procurement Rules](#) and Toitū Te Whenua internal [procurement processes](#) and [procedures](#).
- All procurements must follow the [Government Procurement Rules](#) on estimating the total monetary value of a procurement to help determine whether it meets or exceeds \$100,000 for goods, services, and refurbishments (or \$9M for new construction works). This includes ensuring that trials, pilots or proof of concepts, include any, and all, ongoing costs e.g. licences, support and maintenance, etc. If the total exceeds \$100,000, contact the Commercial team for assistance. It must be endorsed by the Leader - Commercial.
- When we plan to procure [goods](#), [services](#) or [works](#), we must consider the value (including public value and whole-of-life cost (WOLC), complexity and risk of each procurement. The [Procurement Thresholds Table](#) sets the general procurement approach that must be followed unless Commercial advises differently and an alternative procurement approach is endorsed by the Leader – Commercial and approved by the Delegated Contractual Authority (DCA).

- [Economic Benefit to New Zealand](#) and Toitū Te Whenua's [Supplier Diversity Strategy](#) must be considered when planning any procurement activity. Where appropriate, these must be included in tender documentation and selection criteria to encourage a positive, sustainable impact from our procurements. Refer to the requirements listed in the [Definitions](#).
- Everyone involved (or expected to be involved) in procurement activity must complete a [Conflict of Interest Declaration](#) from the outset of the procurement activity and update these regularly.
- Good contract management is vital to ensuring that the contract is delivered and the intended benefits achieved. Refer to Section 3 below for further information.
- Procurement activity must maintain good probity practices in accordance with NZ Government procurement probity principles. Procurements with a whole-of-life cost of \$5 million or above will be assessed by the Commercial Team for value, complexity, and risk. The Commercial Team will advise on the appropriate level of probity assurance and whether the appointment of an independent probity auditor is recommended. The use of an independent probity auditor ensures the procurement has been carried out honestly and without bias, checking the process for procurement planning, tendering, evaluation and awarding the contract is fair and equitable.
- In the case of procurement due to a genuine emergency [MBIE's Guide to Emergency Procurement](#), special consideration needs to be given to the goods, services or works requirements. In this context an emergency is a sudden, unforeseen event which can result in injury, loss of life or critical damage to property or infrastructure. A lack of planning does not constitute a genuine emergency. The [Commercial Team](#) must be engaged before any emergency procurement is conducted.
- All procurement spend must be approved according to the [Financial and Contractual Delegations Policy](#).
- All procurements must have the procurement approach endorsed by Commercial as follows:
  - a) WOLC of \$50,000 or more (excl. GST) by a Senior Business Partner – Commercial.
  - b) WOLC of \$100,000 or more (excl. GST) by the Leader – Commercial.
- Exemptions to the procurement policy must be endorsed by the Leader – Commercial. These are reported to Kaihautū.
- Any deviation from the procurement policy must be documented and the [Commercial Team](#) advised. Non-compliant procurement activity is reported to Kaihautū.
- All contracts and variations must be recorded in the Contract Management System (CMS). This includes all secondary procurement processes.
- All contracts with whole of life costs of \$100,000 or more must have a contract award notice published on GETS, including secondary procurement processes through an All of Government or Toitū Te Whenua panel.
- All contract managers must follow the government's expectations [on integrity](#) and incorporate a [Supplier Code of Conduct](#) when handling the operational delivery of each contract.
- Failure to comply with this policy may be considered a breach of Toitū Te Whenua's [Code of Conduct](#) or the person's employment agreement.

#### Procurement Policy

Effective Date: 1 December 2025

Policy Owner: Head of Business and Commercial

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## 2 Key roles and responsibilities

Role	Description of responsibility
Chief Executive	<ul style="list-style-type: none"> <li>Has overall responsibility for ensuring Toitū Te Whenua's procurement practices are open, fair, and transparent and adhere to the principles as outlined in this policy.</li> <li>Reports to the Public Service Commissioner, who in turn appoints the Procurement System Lead in MBIE.</li> </ul>
Kaihautū	<ul style="list-style-type: none"> <li>Provide leadership to embed this policy within their business group.</li> <li>Identify and communicate procurement risks and obligations within their business group.</li> <li>Provide assurance to the Chief Executive that their business group complies with this policy and that any matters of non-compliance have been dealt with appropriately.</li> </ul>
Leaders	<ul style="list-style-type: none"> <li>Responsible for embedding this policy into operational activities within their team.</li> <li>Ensure new and existing staff are made aware of and comply with this policy.</li> <li>Report any known, suspected or alleged breach or misconduct. Leaders may be directed by their senior leader to investigate known, suspected or alleged breaches or misconduct.</li> <li>Provide assurance to their Kaihautū that their team complies with this policy and that any matters of non-compliance have been dealt with appropriately.</li> </ul>
All staff	<ul style="list-style-type: none"> <li>Comply with this policy, related procedures and all other relevant internal policies.</li> <li>For procurements with a WOLC under \$100,000 (excl. GST), undertake the procurement process and seek Commercial team advice as needed.</li> <li>Engage the Commercial team early for: <ul style="list-style-type: none"> <li>all high risk procurements</li> <li>review and Senior Business Partner - Commercial endorsement for procurements with a WOLC of \$50,000 or more (excl GST).</li> </ul> </li> <li>Obtain procurement approach endorsement from the Leader - Commercial for procurements with a WOLC of \$100,000 or more (excl. GST), including contract variations that meet this threshold.</li> <li>Contact relevant Toitū Te Whenua subject matter experts (e.g. Legal, Health and Safety, ICT Risk and Security, Privacy) based on procurement risk and value.</li> <li>Engage suppliers who demonstrate integrity and include the <a href="#">Supplier Code of Conduct</a> in every contract.</li> <li>Obtain required reviews and endorsements as set out in the <a href="#">Table for Procurement Documentation and Sign Offs</a>.</li> <li>Within delegated authority, approve procurement plans, exemptions, opt-outs, contracts (including AoG and Toitū Te Whenua wide contracts) or panel agreements), variations and renewals.</li> <li>Maintain accurate records and ensure procurement plans and contracts are loaded into the CMS.</li> </ul>

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Role	Description of responsibility
	<ul style="list-style-type: none"> <li>Complete contract management plans and manage contracts in line with the <a href="#">Contract Management Framework</a>.</li> </ul>
Commercial team	<ul style="list-style-type: none"> <li>Provide advice and support to business groups on this policy.</li> <li>For all high-risk procurement and all market approaches \$100,000 and over (excl. GST): <ul style="list-style-type: none"> <li>develop procurement plans and sourcing strategies with the business,</li> <li>lead procurement processes</li> <li>ensure procurement plans are endorsed by the Leader – Commercial</li> </ul> </li> <li>Advise on exemptions and opt-outs to the Government Procurement Rules, including use of AoG and Toitū Te Whenua-wide contracts and panel agreements. Leader – Commercial endorses valid exemptions.</li> <li>Provide professional procurement expertise, commercial advice and related services.</li> <li>Maintain and update procedures and templates to ensure they remain fit for purpose.</li> <li>For procurement activity over \$5M, assess complexity and risk and advise on the need for a probity advisor or probity assurance plan.</li> <li>Deliver procurement training to staff.</li> <li>Monitor procurement activity and practices and recommend improvements.</li> <li>Monitor compliance and report on the effectiveness of this policy.</li> <li>Review and update this policy by the agreed review date.</li> </ul>
Toitū Te Whenua subject matter expert teams	Teams such as Legal, Health and Safety, ICT Risk and Security and Privacy will provide advice on any procurement activity or contract as relevant to their area of expertise.
Senior Business Partner – IT Contracts	Provide advice on all ICT or digital procurement activities regardless of value.
Senior or Principal Business Partner – Contract Management (Crown Property)	Provide advice on all Crown Property procurement activities regardless of value.

### 3 Contract Management

- Contract management is an important strategic tool to effectively manage the contract and the delivery of goods/services throughout its lifecycle.
- Good contract management is vital to ensuring that the contract is delivered, the intended benefits achieved and maximum value derived from the engagement.
- [Government Procurement Rules](#) requires Toitū Te Whenua to:

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- a) consider the contract management approach in our procurement planning,
- b) have a contract management system to identify the contracts that we have, and
- c) have a contract management plan developed and approved for each contract that is right sized based on the contract's value, complexity, risk and duration.

Contract management plans must include:

- clear governance arrangements and performance metrics proportionate to the contract's complexity and risk.
  - transparent performance monitoring provisions
- Toitū Te Whenua must:
  - conduct sufficient monitoring of contracts to ensure that commitments made in contracts are delivered and reported on.
  - keep records of their contract management activities.
- A range of contract management tools and guidance is available on [Whatukura](#) to support the creation of an effective contract, contract management plan and contract management approach for each type of contract.

## 4 Toitū Te Whenua references

### 4.1 Commercial

- a. [Contractor and Consultants Policy](#)
- b. [Contract Management Framework](#)
- c. [Procurement \(Whatukura\)](#)
- d. [Procurement Procedures](#)
- e. [Supplier Diversity Strategy](#)

### 4.2 Other related documents

- a. [Code of Conduct](#)
- b. [Conflict of Interest Policy](#)
- c. [Delegations Policy](#)
- d. [Financial and Contractual Delegations Policy](#)
- e. [Health and Safety Policy](#)
- f. [Official Information Policy](#)
- g. [Privacy Policy](#)
- h. [Sensitive Expenditure Policy](#)

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## 5 External references

The following external references have assisted the development of this Policy.

- a. [Government Procurement Rules](#)
- b. [Government Procurement Charter](#)
- c. [Managing Conflict of Interest: Guidance for public entities](#)
- d. [OAG Procurement Guidance for Public entities](#)
- e. [Te Kawa Mataaho | Public Service Commission - Standards of Integrity and Conduct](#)
- f. [Supplier Code of Conduct](#)

### 5.1 Legislation

- a. [Commerce Act 1986](#)
- b. [Health and Safety at Work Act 2015](#)
- c. [Official Information Act 1982](#)
- d. [Privacy Act 2020](#)
- e. [Public Finance Act 1989](#)

## 6. Definitions

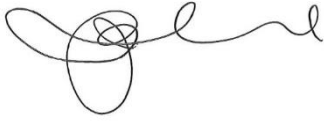
The definitions in the table below relate to terms used in this policy. For a more comprehensive list, see also the [Glossary of procurement terms](#).

Term	Definition
All-of-Government (AoG) contracts	AoG contracts are usually panel contracts established by the Ministry of Business, Innovation and Employment (MBIE) or other agencies that are approved centres of expertise for common goods or services (such as vehicles, laptops or recruitment services). Each panel uses specific contract templates (service orders) for engagements.
Conflict of interest	When someone's personal interests or obligations conflict (or have the potential to conflict) with the responsibilities of their job, position or commercial interests. A conflict of interest means that their independence, objectivity or impartiality can be called into question.
Contract	An agreement that has legally binding terms agreed between two or more parties.

Term	Definition
Contract Management System (CMS)	System that captures all Toitū Te Whenua agreements and contracts to help us monitor key dates and contract spend.
<a href="#">Economic Benefit to New Zealand</a>	<p>Agencies <b>must</b> seek economic benefits to New Zealand in procurements above the value thresholds of \$100,000 for goods, services and refurbishment works and \$9 million for new construction works, to be evaluated as part of the assessment of public value.</p> <p>Unless there is good reason not to, agencies are expected to award procurements below the value thresholds of \$100,000 for goods, services and refurbishment works and \$9 million for new construction works to New Zealand businesses that are capable and have capacity to deliver the contract.</p>
Goods	Items which are capable of being owned. This includes physical goods and personal property, as well as intangible property such as intellectual property (e.g., a software product). It includes the goods related to achieving outcomes in an outcomes-based contract.
Government Procurement Charter	Sets out government's expectations of how agencies should conduct their procurement activity to achieve public value.
Government Procurement Rules	The standards of good practice for government procurement. As a public service department, Toitū Te Whenua must apply the Government Procurement Rules for its procurement activities.
Panel (agreement or contract)	A framework agreement that sets out the terms and conditions the agency and panel suppliers agree to use if the supplier is awarded a contract to provide specific goods, services or works. Each panel uses specific contract templates (service orders) for engagements.
Panel of suppliers	A list of suppliers an agency has pre-approved to supply particular goods or services, and who have agreed to the agency's terms and conditions for supply.
Public Value	<p>The best available result for New Zealand for the money spent. This includes using resources effectively, economically and responsibly, and taking into account:</p> <ul style="list-style-type: none"> <li>• the procurement's contribution to the results the agency is trying to achieve, including economic benefits</li> <li>• the total costs and benefits of a procurement (total cost of ownership).</li> </ul> <p>The principle of public value when procuring goods, services or works does not mean selecting the lowest price but rather the best possible outcome for the total cost of ownership (over the whole of life of the goods, services or works).</p>

Term	Definition
	Selecting the most appropriate procurement process that is proportionate to the value, risk and complexity of the procurement will help achieve public value.
Secondary procurement	Where an agency purchases goods, services or works from a panel of suppliers, an all-of-government contract, common capabilities contract or syndicated contract.
Services / Third Party Services	<p>Acts or work performed for another party, such as accounting, legal services, cleaning, consultancy, training or transportation. Services may be difficult to identify because they are closely associated with a good, such as where medicine is administered as a result of a diagnosis.</p> <p>No transfer of possession or ownership takes place when services are sold.</p> <p>Services:</p> <ul style="list-style-type: none"> <li>• cannot be stored or transported</li> <li>• are instantly perishable</li> <li>• only exist at the time they are provided.</li> </ul>
Supplier	A commercial entity that provides Toitū Te Whenua with goods, services or works. For the purposes of this policy, a supplier is defined as any commercial entity that is not a contractor, consultant or recruitment agency.
Supplier Code of Conduct	The <a href="#">Supplier Code of Conduct</a> provides a minimum set of expectations that government expects of all its suppliers.
<a href="#">Supplier Diversity Strategy</a> (Kia Kotahi Tātou)	Toitū Te Whenua strategy to guide our approach to supplier diversity. It sets out aspirational goals of how we will achieve supplier diversity, to seek better outcomes for New Zealanders and future generations.
Trial, pilot or proof of concept	These activities are undertaken to demonstrate that a design concept, product, software, business proposal, etc. is feasible. Once the contract for the trial, pilot or proof of concept has been fulfilled, Toitū Te Whenua must openly advertise any subsequent procurement of the same goods, services or works.
Whole-of-life cost (WOLC)	An estimate of the total cost that an agency will pay over the entire contract. It covers the full contract cost of goods or services as well as any other expenses such as maintenance and repairs, and the cost of disposing of the goods at the end of the contract. Where applicable it includes any renewals or extensions to the contract.
Works	A generic term which covers new construction works for a new build or refurbishment works to an existing construction.

Approved **1 December 2025** as a Toitū Te Whenua Administrative Policy

A handwritten signature in black ink, consisting of a large, stylized initial 'T' followed by a cursive name.

**Te Tumu Whakarae**

Toitū Te Whenua Land Information New Zealand