

Domestic Violence (Project Coordinator) Appointment 2006

Disallowable Instrument DI2006-107

made under the

Domestic Violence Agencies Act 1986, s11

EXPLANATORY STATEMENT

The *Domestic Violence Agencies Act 1986* (the Act), at section 11, provides for the appointment by the Minister of the Domestic Violence Project Coordinator (DVC).

The instrument reappoints a person to the DVC in accordance with the Act commencing on 20 May 2006 until 21 May 2007.

The *Domestic Violence Agencies Act 1986* section 16 provides that the DVC has a legal immunity in relation to the performance of the DVC's functions under the Act. It is appropriate that Ms Holder's appointment be backdated to commence from 20 May 2006 to ensure that this immunity extends to the performance of the DVC's functions while Ms Holder has been carrying out the tasks of the position.

Section 76 of the *Legislation Act 2001* provides that a statutory instrument may commence retrospectively if it does not operate prejudicially. The retrospective appointment does not impose any liabilities on any person. It ensures that Ms Holder's right to legal immunity in relation to the performance of her function as DVC extends to the period in which she was acting in the position.

Ms Holder is not an ACT public servant. Pursuant to section 228 of the *Legislation Act 2001*, this appointment required consultation with the Standing on Committee on Legal Affairs. The Committee was consulted on this appointment and has advised that it has no comment.