

EXPLANATORY STATEMENT

STATUTORY AUTHORITIES (TEMPORARY PROVISIONS) ORDINANCE 1986

NO. 54 OF 1986

A number of Australian Capital Territory statutory bodies are required by their constituting Ordinances to have members who are also members of the Australian Capital Territory House of Assembly ("the Assembly"). Some of these Ordinances provide that the Assembly member ceases to be a member of the particular body when he or she ceases to be a member of the Assembly.

On 30 June 1986, the terms of office of members of the Assembly expired. The Statutory Authorities (Temporary Provisions) Ordinance 1986 ("the Ordinance") provides for continuing community representation on various Australian Capital Territory bodies pending a decision on the future of the Assembly.

The Ordinance provides for the appointment of members to replace Assembly members pursuant to the:

- . Air Pollution Ordinance 1984, which establishes the Air Pollution Advisory Committee
- . Building Ordinance 1972, which establishes the Building Review Committee
- . Consumer Affairs Ordinance 1973, which establishes the Consumer Affairs Council of the Australian Capital Territory
- . National Exhibition Centre Trust Ordinance 1976, which establishes the National Exhibition Centre Trust
- . Schools Authority Ordinance 1976, which establishes the Australian Capital Territory Schools Authority
- . Water Pollution Ordinance 1984, which establishes the Water Pollution Advisory Committee.

Details of the Ordinance are set out below.

Sections 1 and 2 deal with citation and interpretation.

Section 3 provides that the Ordinance has effect notwithstanding anything contained in a relevant law. For the purposes of the Ordinance, the following Ordinances are "relevant laws":

- . the Air Pollution Ordinance 1984,
- . the Building Ordinance 1972,

- . the Consumer Affairs Ordinance 1973,
- . the National Exhibition Centre Trust Ordinance 1976,
- . the Schools Authority Ordinance 1976 and,
- . the Water Pollution Ordinance 1984.

Section 4 terminates the office of former members of the Assembly who had been nominated by the Assembly as members of bodies established by a relevant law.

Section 5 provides that the Minister may appoint a person to hold office as a member of a body established by a relevant law where that office is presently required to be held by a person nominated by the Assembly.

Section 6 provides for the tenure of office of a person appointed by the Minister under section 5. An appointee will hold office until the first meeting of the Assembly held after the election of members next following the member's appointment or the expiration of three years from the date of the member's appointment, whichever first occurs.

Section 7 provides that the references in relevant laws to a member of the Assembly who is a member of the body established by that law will be read as a reference to a person appointed by the Minister under section 5.

Section 8 suspends the operation of various provisions in a relevant law which require a member of the body established by that relevant law to be a member of the Assembly or which provide that eligibility to hold an office of the body is conditional upon the holder being a member of the Assembly.