

Australian Capital Territory

Racing Appeals Tribunal (Assessor) Appointment 2021 (No 1)

Disallowable instrument DI2021–49

made under the

Racing Act 1999, section 42 (Assessors) and section 2.1 of Schedule 2 (Assessors – appointment)

EXPLANATORY STATEMENT

Section 38 of the *Racing Act 1999* (the Act) establishes the Racing Appeals Tribunal to hear and determine appeals from persons aggrieved by a decision of a controlling body, an approved racing organisation or another person conducting a race meeting in the ACT.

Section 42 of the Act provides that the Tribunal may have assessors. The appointment and conditions of office of assessors must be in accordance with Schedule 2 of the Act.

Schedule 2, subsection 2.1(1), of the Act provides that assessors of the Tribunal are to be appointed by the Minister from among people who the Minister is satisfied have special knowledge of or experience in the racing industry. Section 2.3 of Schedule 2 to the Act provides that an assessor of the Tribunal must be appointed for a term not longer than three years.

This instrument appoints Mr Desmond Gleeson as an assessor of the Tribunal under section 2.1 of Schedule 2 to the Act for a period of three years commencing on the day after notification.

Pursuant to section 228 of the *Legislation Act 2001*, Ministers are required to consult the relevant Standing Committee of the ACT Legislative Assembly on appointments to a statutory position, unless the appointments come within the exemptions permitted by section 227 of that Act. Mr Gleeson is not a public servant and this appointment was referred to the Standing Committee on Justice and Community Safety (the Committee). The Committee has considered the appointment and has advised that it has no recommendation to make.

Section 229 of the *Legislation Act 2001* provides that the instrument is a disallowable instrument.