

Civil Law (Wrongs) Professional Standards Council Appointment 2021 (No 5)

Notifiable instrument NI2021–361

made under the

***Civil Law (Wrongs) Act 2002*, schedule 4, s 4.38 (Membership of Council)**

EXPLANATORY STATEMENT

All States and Territories have enacted legislation which enables the establishment of a national Professional Standards Council, which is made up of individual jurisdictional councils.

Section 4.36 of schedule 4 of the *Civil Law (Wrongs) Act 2002* provides for the establishment of the ACT Professional Standards Council (ACTPSC). The ACTPSC consists of eleven people appointed by the Minister who have the experience, skills and qualifications the Minister considers appropriate to enable them to make a contribution to the work of the ACTPSC. The ACTPSC assesses and approves applications for Professional Standards schemes which limit the civil liability of occupational associations' members. The ACTPSC has an important role in facilitating the improvement of occupational standards and in protecting consumers across Australia.

All States and Territories have agreed to appoint the same eleven members to their Professional Standards Councils. The Professional Standards Councils will be comprised of one member nominated by each of the States and Territories and the Commonwealth, with the exception of New South Wales (NSW) and Victoria, which will nominate two.

NSW has appointed Mr Andrew Lumsden as a member of its Professional Standards Council until 31 March 2024.

The instrument appoints Mr Andrew Lumsden as a member of the ACTPSC until 31 March 2024.

The Minister is satisfied that Mr Lumsden possesses the experience, skills and qualifications to enable him to make a contribution to the work of the ACTPSC. Mr Lumsden is not a public servant as defined under the *Legislation Act 2001*. As the appointment relates to a person who is a member of an appropriate council in another jurisdiction, pursuant to schedule 4, s 4.38 of the *Civil Law (Wrongs) Act 2002*,

consultation with the Standing Committee on Justice and Community Safety is not required under the *Legislation Act 2001*.