

2009

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Mr Brendan Smyth)

Financial Management (Board Composition) Amendment Bill 2009

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Financial Management (Board Composition) Amendment Bill 2009

A Bill for

An Act to amend the *Financial Management Act 1996* and for other purposes

The Legislative Assembly for the Australian Capital Territory enacts as follows:

J2009-539

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

1 **1 Name of Act**

2 This Act is the *Financial Management (Board Composition)*
3 *Amendment Act 2009*.

4 **2 Commencement**

5 This Act commences on the day after its notification day.

6 *Note* The naming and commencement provisions automatically commence on
7 the notification day (see Legislation Act, s 75 (1)).

8 **3 Legislation amended**

9 This Act amends the *Financial Management Act 1996*.

10 **4 Appointment of governing board members generally**
11 **New section 78 (4A) and (4B)**

12 *insert*

13 (4A) Also, unless the establishing Act otherwise provides, a person must
14 not be appointed as a member if—

- 15 (a) the person is a public servant; and
16 (b) the appointment would result in more than 20% of the
17 members of the governing board being public servants.

18 (4B) Subsection (4A) does not apply if—

- 19 (a) the Minister is satisfied that there are special circumstances
20 justifying the appointment; and
21 (b) the Legislative Assembly approves, by resolution, the
22 appointment.

1 **5 Appointment of chair and deputy chair**
2 **Section 79 (2)**

3 *after*
4 territory authority
5 *insert*
6 , or a public servant,

7 **6 Repeal of Exhibition Park Corporation (Governing Board)**
8 **Appointment 2009**

9 The appointments made under the *Exhibition Park Corporation*
10 *(Governing Board) Appointment 2009* (NI2009-310) are revoked
11 and the instrument is repealed.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 2009.

2 Notification

Notified under the Legislation Act on 2009.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.