

Legal Aid (Review Committee—Panel Member) Appointment 2005

Disallowable instrument DI 2005 – 4

Made under the

Legal Aid Act 1977, s 37(5)

Explanatory Statement

The *Legal Aid Act 1977* (the Act), at section 37, provides for the establishment of the Legal Aid Review Committee. The function of the review committee is to review decisions originally related to the provision of legal assistance made by either the legal aid commission, the legal aid committee, or an officer of the legal aid commission (sections 36(5) and 39(1)).

Section 37 establishes that a committee, established by the chief executive officer of the commission, shall consist of a private legal practitioner (from a panel of nine nominated by the bar association and approved by the Attorney General), a private legal practitioner (from a panel of nine nominated by the law society and approved by the Attorney General) and a further member from a panel of non-lawyers chosen by the Attorney General.

This instrument appoints Penny Joy under section 37(5) to be a part time member of the panel of persons chosen by the Attorney General for the purpose of constituting a Legal Aid Review Committee.

Pursuant to section 228 of the *Legislation Act 2001*, ministers are required to consult the relevant Standing Committee of the ACT Legislative Assembly concerning appointments to a statutory office, unless the appointments come within the exemptions permitted by section 227 of that Act. Ms Joy is not an ACT Public Servant; therefore, the Standing Committee on Legal Affairs has been consulted with regard to this appointment, and has advised that it has no recommendation to make.