

Australian Capital Territory

Racing Appeals Tribunal Appointment 2007 (No 1)

Disallowable instrument DI2007-35

Made under the

***Racing Act 1999*, s 42 (assessors to assist the Tribunal), Schedule 2 (appointment of assessors)**

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 who assist the tribunal by providing technical industry advice on any matter before it.

Schedule 2, Clause 1 of the Act provides that assessors shall be appointed by the Minister from among persons who the Minister is satisfied have special knowledge of or experience in the racing industry. Schedule 2, Clause 2 of the Act provides that the assessor must be appointed for a term not longer than 3 years.

The Minister has appointed Darryl John Hart as an assessor assisting the Racing Appeals Tribunal for a period not exceeding three years.

As Mr Hart is not a public servant, this instrument makes an appointment to which the *Legislation Act 2001*, division 19.3.3 applies. Accordingly, under the *Legislation Act 2001*, section 229 the instrument is a disallowable instrument.

The Standing Committee on Public Accounts has been consulted about this appointment in accordance with section 228 (consultation with appropriate Assembly committee) of the *Legislation Act 2001*.

This appointment is from the day this instrument commences until 27 November 2009.