

Australian Capital Territory

Adoption Review Committee Appointment 2007 (No 1)

Disallowable instrument DI2007–111

made under the

Adoption Act 1993, Part 3 Adoptions Under this Act, sub-section 17 (1)

EXPLANATORY STATEMENT

The *Adoption Act 1993* establishes a Committee consisting of not more than three persons to review a decision of the Chief Executive where the Chief Executive has not placed the names of applicants on the Register of Persons who Apply to Adopt (paragraph 17(1)(a)) and the applicants have, in writing, requested that the decision be reconsidered (paragraph 17(1)(b)).

Section 17 of the *Adoption Act 1993* enables the Minister to appoint and convene the Committee to review the decision. The Minister has appointed Ms Catherine Hudson (Chair) (public servant) and Ms Linda Webb and Mr Thomas Sutton as members under subsection 17(1) of the *Adoption Act 1993* to the Adoption Review Committee from the day after notification and effective until 31 March 2008.

Two appointees are not ACT public servants and this instrument makes appointments to which the *Legislation Act 2001*, Division 19.3.3 applies. Accordingly, under the *Legislation Act 2001*, s.229 the instrument is a Disallowable Instrument.

Part 19.3 of the *Legislation Act 2001* provides that certain statutory positions require consultation with a Legislative Assembly committee and are disallowable. On 24 April 2007, a letter was received from Ms Mary Porter AM MLA in her capacity as Chair of the Standing Committee on Education, Training and Young People, advising that the Standing Committee had considered the appointment to the Adoption Review Committee in accordance with the *Legislation Act 2001* and had no objections to the appointments and therefore made no recommendations.

Section 64 (Presentation of subordinate laws and disallowable instruments) of the *Legislation Act 2001* provides that if a subordinate law or Disallowable Instrument is not presented to the Legislative Assembly within 6 sitting days after its notification day, it is taken to be repealed.

This Instrument is necessary to provide the appointees with statutory authority to perform the duties of the Adoption Review Committee under the *Adoption Act 1993* and has been prepared in accordance with Section 17 (1) of the *Adoption Act 1993*.