

Civil Law (Wrongs) Professional Standards Council Appointment 2011 (No 1)

Disallowable instrument DI2011 – 41

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. The objects of the legislation are to constitute Professional Standards Councils, to enable the creation of schemes to limit the civil liability of professionals and others, to facilitate the improvement of occupational standards, and to protect consumers.

Section 4.36 of Schedule 4 of the *Civil Law (Wrongs) Act 2002* provides for the establishment of the ACT Professional Standards Council (ACT Council). The ACT Council 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 ACT Council.

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

In October 2008, Mr Justin Harper was appointed to the ACT Council as the Queensland member (DI 2008-265 being the Civil Law (Wrongs) Professional Standards Council Appointment 2008 (No 1)). Mr Harper resigned in May 2009. In July 2009, Ms Lisa Hunt was appointed to the ACT Council as the Commonwealth member (DI2009-177 being the Civil Law (Wrongs) Professional Standards Council Appointment 2009 (No 2)). Ms Hunt resigned in December 2009.

This instrument appoints the new Queensland nominee, Ms Julie Cameron, to the ACT Council, commencing on the day after notification of this instrument and ending on 30 June 2011. This instrument also appoints the new Commonwealth nominee, Mr Tom Karp, to the ACT Council, commencing on the day after notification of this instrument and ending on 30 June 2011.

The instrument also repeals DI 2008-265 and DI2009-177 which are redundant upon the resignation of the previous Queensland and Commonwealth appointees.

Ms Cameron and Mr Karp are not public servants as defined under the *Legislation Act 2001*.

As required by the *Legislation Act 2001*, the Standing Committee on Justice and Community Safety has been consulted on the appointments. The Committee has provided no comment on the appointments.

The quorum for a meeting of the council is a majority of its members (section 4.47, Schedule 4 *Civil Law (Wrongs) Act 2002*), and therefore the vacancies of Mr Harper and Ms Hunt until these appointments did not affect the decisions of the ACT Council made during this time.