

AUSTRALIAN CAPITAL TERRITORY

Legal Aid Act 1977

APPOINTMENT

INSTRUMENT NO. 208 of 2001

EXPLANATORY STATEMENT

Section 6 of the *Legal Aid Act 1977* established the Legal Aid Commission (A.C.T.) which consists of a President and Commissioners appointed by the Attorney-General, all of whom are part-time.

Section 7 provides for the following persons to be appointed to the Commission:

- a President;
- a Commissioner to represent the Minister;
- a Commissioner nominated by the Attorney-General for the Commonwealth to represent him or her;
- a Commissioner nominated by the Council of the Bar Association;
- a Commissioner nominated by the Council of the Law Society;
- a Commissioner nominated by the Executive Committee of the Council of Social Service of the Australian Capital Territory (ACTCOSS); and
- a Commissioner who, in the opinion of the Minister, is a person who, by reason of qualifications, training or experience, will be able to afford specialist assistance to the Commission in the performance of its function.

The Chief Executive Officer of the Legal Aid Office is, *ex officio*, a Commissioner.

The functions of the Commission are to provide legal assistance in accordance with the Legal Aid Act and in accordance with any funding agreements between the Territory and other jurisdictions for the provision of legal assistance by the Commission. Legal assistance may be provided by the Commission by arranging for the services of private legal practitioners to be made available at the expense of the Commission or by making available the services of officers of the Commission.

Mr Tom Sherman is nominated by the Attorney-General.

The attached instrument appoints Mr Tom Sherman as President of the Legal Aid Commission (A.C.T.). The appointment is for three years from the date of the notification of the Instrument in the ACT Gazette.

The appointment has been referred to the Legislative Assembly's Standing Committee on Justice and Community Safety in accordance with the *Statutory Appointments Act 1994*. The Committee had no objection to Mr Sherman's appointment.

Circulated by the authority of Mr Bill Stefaniak MLA, Attorney-General