

**EXPLANATORY STATEMENT
INSTRUMENT NO. 190 OF 2001**

**APPOINTMENT OF GEOFFREY ALAN JAMES BUTLER AS A MEMBER AND
DEPUTY CHAIRPERSON TO THE AUSTRALIAN CAPITAL TERRITORY
HERITAGE COUNCIL**

The Land (Planning and Environment) Act 1991 (the “Land Act”) governs the use of land in the Territory including the conservation of the Territory’s Heritage places.

Part III, section 91, of the Land Act establishes the ACT Heritage Council. Members of Council are appointed by the Minister under section 97.

Members are appointed for a maximum period of three years, after which they may be re-appointed for a further maximum period of three years. A break of three years must then lapse before a member can be further re-appointed.

In accordance with subsection 4(1) of the *Statutory Appointments Act 1994*, the appointment was referred to the Standing Committee on Planning and Urban Services for consideration. The Committee raised no objections to the appointment.

This instrument appoints Geoffrey Alan James Butler to be a member and Deputy Chairperson of the Council for a period of 2 years.

A brief Resume of Mr Butler’s background is attached.

Section 7 of the *Subordinate Laws Act 1989* prevents a subordinate law from having effect if it would prejudice the rights of a person existing at the date of notification, or if liabilities would be imposed on a person in respect of any act or omission before the date of notification. Neither circumstance will arise from the act of appointing the person named herein to the specified position.