

Australian Capital Territory

Long Service Leave (Portable Schemes) Governing Board Appointment 2016 (No 1)

Disallowable instrument DI2016-59

made under the

Long Service Leave (Portable Schemes) Act 2009, s 79E (Establishment of governing board) (see also Financial Management Act 1996, s 78 and s 79)

EXPLANATORY STATEMENT

This instrument appoints Mr Howard Pender as Deputy Chair and independent member of the Long Service Leave Governing Board (the Board) commencing the day after notification for a term of four years.

Section 79E of the *Long Service Leave (Portable Schemes) Act 2009* (the Act) establishes the Governing Board. Section 79F of the Act establishes the appointment of members to the Governing Board and Section 79G establishes the appointment of a member as the Deputy Chair.

Mr Howard Pender is appointed under section 79F (2) (c) of the Act as an independent member and under section 79G as the Deputy Chair to the Board. Section 79G of the Act provides that the Minister must appoint a member appointed under section as deputy chair. Mr Pender is appointed deputy chair under section 79 of the *Financial Management Act 1996*.

The appointee is not a Public Servant and this instrument makes an appointment to which the *Legislation Act 2001* (the Legislation Act), Division 19.3.3 applies. Accordingly, under section 229 of the Legislation Act, the instrument is a disallowable instrument.

This appointment has been approved by the Minister and the Standing Committee on Justice and Community Safety has been consulted in accordance with section 228 (consultation with appropriate Assembly Committee) of the Legislation Act.

Section 78 of the *Financial Management Act 1996* provides that an appointment of a member must be for no longer than three years, unless the establishing Act allows for a longer period. While section 79F (5) of the Act provides for terms up to 5 years, Mr Howard Pender's appointment is for four years.