

Domestic Violence Agencies (Council) Appointment 2017 (No 2)

Disallowable instrument DI2017-35

made under the

**Domestic Violence Agencies Act 1986, section 6 (Membership of Council) and s 6A
(Chairperson of Council)**

EXPLANATORY STATEMENT

Section 5 (1) of the *Domestic Violence Agencies Act 1986* (the Act) states that the objective of the Domestic Violence Prevention Council (the Council) is to reduce the incidence of domestic violence offences. Section 5 (2) of the Act outlines the functions of the Council. Under section 5 (2) (c) of the Act, one of these functions is to advise the Minister on any matter relating to domestic violence.

Section 6 of the Act stipulates that the Council is constituted by the Domestic Violence Project Coordinator and twelve other members appointed by the Minister for the Prevention of Domestic and Family Violence. Section 6 (2) (a) specifies that the appointed members must consist of six or more community members.

Section 6 (2) (b) of the Act states that the Council must also consist of other members who are statutory office holders, public servants or police officers.

Section 229 of the *Legislation Act 2001* states that the instrument making an appointment to which division 19.3.3 applies is a disallowable instrument.

Section 227 of the Legislation Act provides that division 19.3.3 does not apply to appointees who are public servants. The people appointed by this instrument are not public servants and as a result the Standing Committee on Justice and Community Safety has been consulted. The Committee supported the appointments.

In accordance with section 6 (3) of the Act, this instrument states the capacity in which the people are appointed. The Minister is satisfied that the appointees are familiar with the views and interests of the community on matters relating to domestic violence and are capable of representing those views and interests.

The appointments commence on 9 May 2017 and end on 8 May 2020.