

Australian Capital Territory

Legal Aid (Commissioner – ACTCOSS Nominee) Appointment 2019

Disallowable instrument DI2019–27

made under the

Legal Aid Act 1977, s 16 (Constitution of board)

REVISED EXPLANATORY STATEMENT

The *Legal Aid Act 1977* (ACT) (the **Act**), at section 14, provides for the establishment of the board of the Legal Aid Commission (the **Board**). The functions of the Board are to determine the broad policies, priorities and strategies of the Legal Aid Commission for the provision of legal assistance, and to ensure that the Commission's affairs are managed in accordance with the Act.

Section 16(1)(c)(iv) of the Act provides that the Board must be constituted by a member and commissioner chosen from a panel of not less than three people nominated by the executive committee of the Australian Capital Territory Social Service Inc (the **ACTCOSS**).

Section 50(2) of the Act further provides that a person is not eligible for appointment as a commissioner referred to in section 16(1)(c)(iv) if the person is a legal practitioner.

This instrument appoints Ms Susan Helyar as a part-time member and commissioner of the Board for a period of three years commencing on the day after the notification of the instrument of appointment.

Ms Helyar was chosen from a panel of three members nominated by the executive committee of the ACTCOSS. Ms Helyar is not a legal practitioner and is not a public servant.

Under section 228 of the *Legislation Act 2001* (ACT), this appointment required consultation with the Legislative Standing Committee on Justice and Community Safety (the **Standing Committee**). The Standing Committee had no comment on the appointment.