Australian Capital Territory

Gambling and Racing Control (Governing Board) Appointment 2021 (No 1)

Disallowable instrument DI2021–44

made under the

***Gambling and Racing Control Act 1999*, s 11 (Establishment of governing board), s 12 (Governing board members)**

***Financial Management Act 1996*, s 78 (Appointment of governing board members generally)**

EXPLANATORY STATEMENT

The *Gambling and Racing Control Act 1999* (the Act) establishes the ACT Gambling and Racing Commission (the Commission) as an independent statutory body that is responsible for controlling and regulating all gaming, racing and betting activities in the ACT.

Section 11 of the Act establishes a governing board for the Commission. Section 12 of the Act sets out the requirements for governing board members and section 12(2) sets out matters which make a person ineligible for appointment to the governing board. The *Financial Management Act 1996*, section 78 enables the Minister to make appointments of governing board members generally.

This instrument appoints Mr Carl Buik as a member of the governing board, commencing 20 March 2021 and is effective for three years from commencement. Prior to the commencement of this instrument, Mr Buik declared that none of the disqualifying factors identified at section 12(2) of the Act apply to his appointment.

This instrument makes an appointment to which the *Legislation Act 2001*, division 19.3.3 applies. Accordingly, under section 229 of the *Legislation Act 2001* this instrument is a disallowable instrument.

Pursuant to section 228 of the *Legislation Act 2001*, Ministers are required to consult the relevant Standing Committee of the ACT Legislative Assembly on appointments to a statutory position, unless the appointments come within the exemptions permitted by section 227 of that Act. Mr Buik is not a public servant and this appointment was referred to the Standing Committee on Justice and Community Safety (the Committee). The Committee has considered the appointment and has advised that it has no recommendation to make.