

Australian Capital Territory

Official Visitor (Mental Health) Appointment 2021 (No 1)

Disallowable instrument DI2021-103

made under the

Official Visitor Act 2012, s. 10(1)(e)

EXPLANATORY STATEMENT

S.10(1)(e) of the *Official Visitor Act 2012* (OV Act) authorises the Minister to appoint at least one official visitor, for the purposes of the *Mental Health Act 2015*. The function of official visitors (OVs) is to work to protect human rights in different environments. OVs operate in ‘closed’ environments of youth and adult corrections and mental health and in ‘open’ environments including disability and homelessness services.

This instrument appoints Mr Geoffrey Dulhunty for the purposes of the *Mental Health Act 2015*.

Tara Cheyne MLA is Minister responsible for the OV Act (as appointing Minister) and Emma Davison MLA is responsible for the *Mental Health Act 2015* (as Operational Minister). S. 10(2) of the OV Act requires the appointing Minister to consult with the Operational Minister. The Operational Minister has agreed to the appointment and is satisfied that Mr Dulhunty has suitable qualifications and experience to exercise the official visitor functions for the purposes of the *Mental Health Act 2015*.

Mr Dulhunty is not excluded from appointment as he is not a public employee or holding a relevant interest as defined under s. 10(3) of the OV Act. Mr Dulhunty is not a public employee as defined under the *Legislation Act 2001*.