

Australian Capital Territory

Long Service Leave (Portable Schemes) Governing Board Appointment 2022 (No 1)

Disallowable instrument DI2022-6

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 Ms Anne O'Donnell as an independent member and Chair to the Long Service Leave Governing Board (the Board) commencing on the day after notification for a term of three 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.

Ms Anne O'Donnell is appointed under section 79F (2) (c) of the Act as an independent member, not representing an employee or employer organisation, and Chair to the Board. Section 78 of the *Financial Management Act 1996* allows the Minister to appoint Governing Board members generally. Section 79 of the *Financial Management Act 1996* allows the Minister to appoint a Chair for the Board.

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.

The appointment has been made by the Minister and the Standing Committee on Justice and Community Economy and Gender and Economic Equality has been consulted in accordance with section 228 (consultation with appropriate Assembly committee) of the *Legislation Act 2001*.

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 five years, Ms Anne O'Donnell is appointed for three years.