

Heritage (Council Deputy Chairperson) Appointment 2022

Disallowable instrument DI2022-175

made under the

Heritage Act 2004, section 17 (Members of council)

EXPLANATORY STATEMENT

Overview

Section 16 of the *Heritage Act 2004* (the *Act*) establishes the ACT Heritage Council (the *council*). Members of the council, including the chairperson and deputy chairperson, are appointed by the Minister under section 17 of the Act. Members of the council are appointed as public representatives or as experts in a particular field.

Appointment

This instrument appoints Mrs Alison Archer (a current member of the council) as deputy chairperson, as per section 17 (2) of the Act, for the period 1 July 2022 to 1 March 2024.

The appointee is not an ACT public servant and this instrument makes an appointment to which the *Legislation Act 2001*, division 19.3.3 applies. Accordingly, under s 229 of the Legislation Act, the appointment instrument is a disallowable instrument.

This appointment has been made by the Minister for Heritage. The Standing Committee on Public Accounts was consulted prior to Mrs Archer's appointment as a member of the council in 2021, in accordance with section 228 of the Legislation Act and offered no recommendation in relation to the appointment.

Section 17 of the Act requires the council to be made up of public representatives representing certain groups or experts in one or more of the listed disciplines. This appointment, combined with the appointments of other council members, ensures that the membership requirements for the council are met.

A Regulatory Impact Statement (a *RIS*) is not required for this disallowable instrument as it is unlikely to impose appreciable costs on the community (section 34 (1) of the Legislation Act). Further, in accordance with section 36 (1) (b) of the Legislation Act, a RIS is not necessary as the matter does not operate to the disadvantage of anyone by adversely affecting the person's rights or imposing liabilities on the person.