

Gambling and Racing Control (Governing Board) Appointment 2023 (No 1)

Disallowable instrument DI2023–96

made under the

Gambling and Racing Control Act 1999, s 11 (Establishment of governing board)
(see also **Financial Management Act 1996, s 78**)

EXPLANATORY STATEMENT

The *Gambling and Racing Control Act 1999* establishes a Commission that is responsible for controlling and regulating gaming, racing and betting activities in the ACT.

Section 11 of the *Gambling and Racing Control Act* establishes a governing board for the Commission. The *Financial Management Act 1996, s 78* enables the Minister to make appointments of governing board members generally.

This instrument reappoints Ms Carmel Franklin as a member of the governing board of the Commission, for the period beginning 6 June 2023 ending 19 March 2024.

A short reappointment of less than one year is necessary to ensure continuity in representation on the Board noting that the Chair appointment expires on 24 November 2023. A full merit selection process will occur in prior to the end of the appointment period.

Section 12 (1) of the *Gambling and Racing Control Act* requires that the governing board has five members, of whom one must have knowledge, experience or qualifications related to providing counselling services to problem gamblers. Ms Franklin fulfils this requirement.

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

In accordance with section 228 of the *Legislation Act*, Ministers are required to consult the relevant Standing Committee of the ACT Legislative Assembly concerning appointments to a statutory office, unless the appointments come within the exemptions permitted by section 227 of that Act. Ms Franklin is not an ACT public servant as such 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.