

Architects Board (Commercial Lawyer Member) Appointment 2026

Disallowable instrument DI2026-195

made under the

Architects Act 2004, section 70 (Board membership)

EXPLANATORY STATEMENT

This explanatory statement relates to the *Architects Board (Commercial Lawyer Member) Appointment 2026* as made by the Minister for Planning and Sustainable Development and presented to the Legislative Assembly (the *Assembly*). It has been prepared in order to assist the reader of the instrument and to help inform debate on it. It does not form part of the instrument and has not been endorsed by the Assembly.

Overview

Section 64 of the *Architects Act 2004* (the *Act*) establishes the Australian Capital Territory Architects Board (the *architects board*). The functions of the architects board are set out in section 65 of the Act.

Under section 66 of the Act the architects board must exercise its functions independently, impartially and in the public interest, subject to specific circumstances when the Minister may give a written direction to the architects board about the exercise of its functions if satisfied that it is in the public interest to do so (as per sections 68 and 69 of the Act).

The Act provides the Minister with the authority to appoint members to the architects board. In accordance with section 70 (1) (d) one board member is to be a commercial lawyer with experience in either or both consumer protection law and/or trade practices law.

Under section 71, the appointments are for a period not longer than three (3) years.

This instrument appoints Ms Amy Ward as the commercial lawyer member on the architects board for a period of 3 years.

Ms Ward is an experienced Australian legal practitioner with over 23 years' experience across legal, regulatory and governance roles in highly regulated environments, including the Commonwealth Superannuation Corporation, Spirit Super, AvSuper and the Australian Securities and Investments Commission. Her work

has focused on administrative law, statutory interpretation, consumer protection, compliance and enforcement, including resolving complex disputes across tribunals, ombudsman and regulatory bodies, and overseeing governance frameworks. She is also currently serving on the architects board as the commercial lawyer member, contributing to registration, complaint handling and disciplinary matters, and supporting regulatory consistency and professional standards.

Division 19.3.3 of the *Legislation Act 2001* (the ***Legislation Act***) applies as Ms Ward is not a public servant, is appointed for longer than 6 months and will have functions beyond advising the Minister. In accordance with section 228 of the *Legislation Act*, the Standing Committee for Environment and Planning has been consulted and noted the appointment. The appointment is a disallowable instrument by operation of section 229 of the *Legislation Act*.

The instrument is not likely to impose appreciable costs on the community, or part of the community and therefore a regulatory impact statement (a ***RIS***) is not required under section 34 of the *Legislation Act*. Further, a RIS is unnecessary, in accordance with section 36 (1) (b) of the *Legislation Act*, as the disallowable instrument does not operate to the disadvantage of anyone by adversely affecting the person's rights, or imposing liabilities on the person.

Remuneration for the architects board is set by the ACT Remuneration Tribunal under Determination 13 of 2025 (Part-time Public Office Holders) and is met by the directorate budget.

The instrument is consistent with the Standing Committee on Legal Affairs (Legislative Scrutiny Role) Terms of Reference. In particular, the instrument:

1. Is made under a ministerial power found in the Act (see section 70 of the Act and section 78 of the *Financial Management Act 1996*).
2. Is in accordance with the general objects of the Act under which it is made. The appointment of members to the board is integral to its operation and achieving the objects of the Act.
3. Does not unduly trespass on rights previously established by law.
4. Does not make rights, liberties and/or obligations unduly depended upon non-reviewable decisions. The instrument enables formal appointment of a member to the board.