

AUSTRALIAN CAPITAL TERRITORY

*Legal Aid Act 1977*

APPOINTMENT

**Instrument No. 213 of 1998**

**EXPLANATORY STATEMENT**

Section 6 of the *Legal Aid Act 1977* established the Legal Aid Commission (A.C.T.) which consists of a President and Commissioners appointed by the Attorney-General, all of whom are part-time.

Section 7 provides for the following persons to be appointed to the Commission:

- a President;
- a Commissioner to represent the Minister;
- a Commissioner nominated by the Attorney-General for the Commonwealth to represent him or her;
- a Commissioner nominated by the Council of the Bar Association;
- a Commissioner nominated by the Council of the Law Society;
- a Commissioner nominated by the Executive Committee of the Council of Social Service of the Australian Capital Territory; and
- a Commissioner who, in the opinion of the Minister, is a person who, by reason of qualifications, training or experience, will be able to afford specialist assistance to the Commission in the performance of its function.

The Chief Executive Officer of the Legal Aid Office is, *ex officio*, a Commissioner.

The functions of the Commission are to provide legal assistance in accordance with the Legal Aid Act and in accordance with any funding agreements between the Territory and other jurisdictions for the provision of legal assistance by the Commission. Legal assistance may be provided by the Commission by arranging for the services of private legal practitioners to be made available at the expense of the Commission or by making available the services of officers of the Commission.

Mr Harper has had a distinguished career in the field of Law. He has been a solicitor since 1967, a partner of a large law firm in Canberra since 1971 and a member of the Council of the Law Society of the ACT since 1974. He held the positions of Vice President of the Society during 1976/77 and of President during 1978-1980. Mr Harper has also had extensive involvement in other areas of the law, including fostering access to justice and in community activities. Mr Harper has been a Commissioner of the Legal Aid Commission from 1980 to 1985 and since 1988.

The attached instrument appoints Mr David Clement Darold Harper as a Commissioner of the Legal Aid Commission (A.C.T.). The appointment expires on 30 June 2000.

The appointment has been referred to the Legislative Assembly's Standing Committee on Justice and Community Safety in accordance with the *Statutory Appointments Act 1994*. The Committee made no comment on the appointment.

Circulated by the authority of Mr Gary Humphries MLA, Attorney-General