

**EXPLANATORY STATEMENT  
INSTRUMENT NO. 36 1996**

**APPOINTMENT OF KENNETH JAMES HEFFERNAN  
TO THE AUSTRALIAN CAPITAL TERRITORY HERITAGE COUNCIL**

The *Land (Planning and Environment) Act 1991* ("the Land Act") governs the use of land in the Territory including the conservation of the Territory's heritage places.

Part III of the Land Act establishes the ACT Heritage Council (section 91), and members of Council are appointed by the Minister under section 97.

Members are appointed for a maximum period of three years, after which they may be re-appointed for a further maximum period of three years. A break of three years must then elapse before a member can be further reappointed.

This instrument appoints ***Kenneth James Heffernan*** to be a member of the Council for a period of 2 years commencing on 21 November 1995. The instrument also appoints Dr Heffernan to be deputy chairperson for the same period. Section 101 of the Land Act provides for the Minister to separately appoint a deputy chairperson.

A brief resume of Dr Heffernan's background is attached.

Section 7 of the *Subordinate Laws Act 1989* prevents a subordinate law from having effect if it would prejudice the rights of a person existing at the date of notification, or if liabilities would be imposed on a person in respect of any act or omission before the date of notification. Neither circumstance will arise from the act of appointing the person named herein to the specified position(s).

## **RESUME DR. KENNETH JAMES HEFFERNAN**

### **Academic**

Currently lectures at the Department of Archaeology and Anthropology at ANU. Holds a degree in Law and has been awarded a Doctorate in Prehistory. He has considerable experience in prehistoric and historical archaeology in the ACT, consultation with Aboriginal communities on heritage assessment and conservation, the recording of oral traditions, archival research, environmental law and cultural resource management.