



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

Statutory appointment consultation with Legislative Assembly committees

*Guidelines endorsed at the Meeting of Committee Chairs
20 November 2009*

- 1) Section 228 of the *Legislation Act 2001* requires a Minister to consult with standing committees of the Legislative Assembly when making appointments to statutory positions.
- 2) At the commencement of each Assembly, the Speaker tables a schedule which sets out the general areas covered by each of the standing committees (attachment 1; or see Notifiable Instrument NI2009-52)). If an appointment does not fit into any of the categories correspondence should be directed to the Public Accounts Committee.
- 3) Committees are required to respond to the Minister's appointment letter within 30 days, otherwise the appointment can proceed. Ministers are required under the Act to consider any recommendations made by committees about the proposed appointments.
- 4) The Minister's correspondence regarding the appointment/s should provide the following information:
 - a. The Act under which the appointment is to be made and the criteria set out within;
 - b. A current membership list for the board or committee and term of the proposed appointment;
 - c. The proposed appointee's current *Curriculum Vitae* and the basis on which the appointment is being made (that is, the appointee's claim to the position);
 - d. Advice as to the circumstances of the appointment (that is, whether it is a new appointment or a re-appointment, full-time or part-time). If it is a new appointment, who the proposed appointee is replacing and how the vacancy has arisen. If it is a reappointment, the number and duration of all previous appointments; and

- e. Any remuneration payable.
- 5) The Minister's letter to the Committee must be **dated**. The Act stipulates that committees have 30 days in which to consider appointments. The time runs from the date of the letter; not the date it is received in the Committee Office.
 - 6) Appointments should be forwarded to the appropriate committee secretary in the Assembly Committee Office for provision to the Committee once they have been endorsed by the Minister. Agencies should leave enough time for all the steps in the statutory appointment process. Too often, appointments come to committees at the last minute. While committees do their best to respond to ministerial requests to consider appointments, it should not be necessary to convene special meetings for their consideration. However, this is too often the case.
 - 7) Once a committee has considered a statutory appointment, a response is generally forwarded to the Minister's office within 24 hours. In most cases an electronic copy of this response is forwarded to the DLO as well for information.
 - 8) Contact details for the Legislative Assembly Standing Committee are:
 - a) Education, Training and Youth Affairs – [Ext 50199]
 - b) Health, Community and Social Services – [Ext 50129]
 - c) Justice and Community Safety – [Ext 50137]
 - d) Planning, Public Works and Territory and Municipal Services – [Ext 50435]
 - e) Public Accounts Committee – [Ext 50142]
 - f) Climate Change, Environment and Water – [Ext 50136]

Attachment 1

Legislation Act 2001

With effect from 19 January 2009, I nominate the following standing committees for the purposes of section 228 (1) of the *Legislation Act 2001*:

The Standing Committee on Public Accounts to be consulted in relation to appointments made by Ministers to statutory offices in the following areas of responsibilities of the Executive:

- public sector management;
- audit services to Government;
- fiscal and economic policy including taxation and revenue;
- competition policy and associated market reforms;
- Government business enterprises;
- regulatory reform;
- purchasing and project management;
- Government procurement services;
- construction (procurement);
- economic and business development;
- employment matters;
- tourism policy and services;
- Government asset management; and
- racing and gaming.

The Standing Committee on Education, Training and Youth Affairs to be consulted in relation to appointments made by Ministers to statutory offices in the following areas of responsibilities of the Executive:

- education policy;
- arts and cultural services;
- education, including Government and non-Government schooling;
- vocational education and training;
- CIT;
- early childhood education and care;
- technology
- children's and youth services; and
- youth justice.

The Standing Committee on Health, Community and Social Services to be consulted in relation to appointments made by Ministers to statutory offices in the following areas of responsibilities of the Executive:

- health and community care;
- acute, community, population and mental health services;
- health policy;
- disability services and policy;

- multicultural affairs and indigenous affairs;
- volunteering;
- community support services
- women;
- poverty relief; and
- housing, including public housing, and housing assistance services.

The Standing Committee on Justice and Community Safety to be consulted in relation to appointments made by Ministers to statutory offices in the following areas of responsibilities of the Executive:

- administration of justice;
- legal policy;
- legal services;
- civil liberties and human rights;
- regulatory services;
- electoral services;
- consumer rights and fair trading;
- police services;
- emergency services;
- corrective services;
- industrial relations policy and regulations; and
- workplace safety and workers compensation.

The Standing Committee on Planning, Public Works and Territory and Municipal Services to be consulted in relation to appointments made by Ministers to statutory offices in the following areas of responsibilities of the Executive:

- road services and transport policy including public transport;
- taxis;
- planning, development and building control;
- parks and forests;
- municipal services;
- sport and recreation;
- animal welfare;
- heritage services
- electricity and natural gas industry technical regulation;
- land development and release; and
- survey and leasing.

The Standing Committee on Climate Change, Environment and Water to be consulted in relation to appointments made by Ministers to statutory offices in the following areas of responsibilities of the Executive:

- climate change;
- environmental sustainability;
- water;
- environment management and regulatory services;
- utilities policy;

- energy policy and programs; and
- environment protection.

Shane Rattenbury MLA

Speaker

19 January 2009

(updated 14 December 2011)