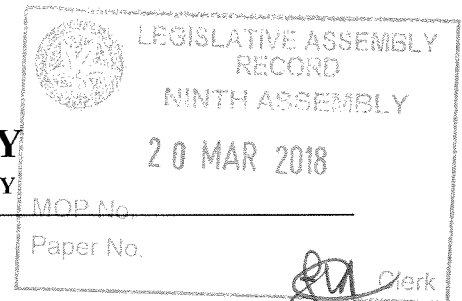




LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

COMMITTEE SUPPORT OFFICE



**Statutory Appointments –
Consulting with Legislative Assembly committees**

Ninth Assembly

Procedural Guidelines - 2018

- 1) Section 228 of the *Legislation Act 2001* requires Ministers, or the Speaker of the Assembly, to consult with standing committees of the Legislative Assembly when making certain 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). If an appointment does not fit into any of the categories, correspondence should be directed to the Public Accounts Committee.
- 3) In accordance with continuing resolution 5A (agreed by the Assembly on 23 August 2012), individual members of the Executive, the Speaker of the Assembly, and the relevant standing committee shall ensure that details of proposed appointments remain confidential until the appointment is made.
- 4) The resolution also stipulated that standing committees shall, on a six monthly basis (for the periods 1 January to 30 June and from 1 July to 31 December), make a statement to the Assembly and present a schedule of appointments considered during the relevant period. The schedule will include the date the request for consultation was received and the date that the committee provided feedback on the appointment.
- 5) The Minister's or the Speaker of the Assembly's letter to the Committee about the proposed statutory appointment must be **dated**. Committees are required to respond to the Minister's or the Speaker's appointment letter within 30 days of the date of the correspondence, after which time the appointment can proceed. Ministers and the Speaker of the Assembly are required under the Act to consider any recommendations made by committees about the proposed appointments.
- 6) The Minister's or the Speaker of the Assembly's correspondence to standing committees 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, whether the appointment is as Chair, Deputy Chair or

member). If a new appointment, who the proposed appointee is replacing and how the vacancy has arisen. If a re-appointment, the number and duration of all previous appointments; and
e. Any remuneration payable.

- 7) All correspondence related to statutory appointments should be promptly forwarded to the appropriate committee secretary in the Committee Support Office for provision to the Committee. The 30 day consultation period starts from the date of the letter; not the date it is received in the Committee Support Office. Agencies should leave enough time for all steps in the statutory appointment process to be completed. Committees often receive appointments very close to the expiration date of the term of office. 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. Committee secretaries can provide advice about committees' regular meeting schedules.
- 8) Once a committee has considered a statutory appointment, a response is generally forwarded to the Minister's or the Speaker of the Assembly's office within 24 hours. An electronic copy of the response is also forwarded to the DLO for information.
- 9) Contact details for the Legislative Assembly Standing Committees are:
 - Economic Development and Tourism [Ext 50129]
 - Education, Employment and Youth Affairs [Ext 50435]
 - Environment and Transport and City Services [Ext 50199]
 - Health, Ageing and Community Services [Ext 70524]
 - Justice and Community Safety [Ext 50142]
 - Planning and Urban Renewal [Ext 51253]
 - Public Accounts [Ext 50137]

Legislation Act 2001

With effect from 26 October 2017, I nominate the following standing committees for the purposes of section 228 (1) of the *Legislation Act 2001*:

The Standing Committee on Economic Development and Tourism to be consulted in relation to appointments made by Ministers to statutory offices in the following areas of responsibilities of the Executive:

- economic and business development;
- small business;
- tourism;
- procurement;
- Access Canberra;
- regional development;
- international trade;
- skills development and employment creation;
- technology; and
- arts and culture

The Standing Committee on Education, Employment 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;
- education, including Government and non-Government schooling;
- vocational education and training;
- CIT;
- University of Canberra;
- early childhood education and care;
- technology;
- children's and youth services; and
- youth justice;
- industrial relations and work safety; and
- employment matters.

The Standing Committee on Environment and Transport and City 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;
- parks and forests;
- municipal services;
- sport and recreation;

- animal welfare;
- heritage services
- climate change;
- environmental sustainability;
- water;
- environment management and regulatory services; and
- environment protection.

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

- hospitals;
- community and public health;
- mental health;
- health promotion and disease prevention;
- disability matters;
- drug and substance misuse;
- targeted health programs and community services, including services for older persons and women;
- families;
- housing;
- poverty; and
- multicultural and indigenous affairs.

The Standing Committee on Justice and Community Safety to be consulted in relation to appointments made by Ministers, or the Speaker of the Assembly, 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 *affairs*
- *courts, police and emergency services*;
- corrective services;

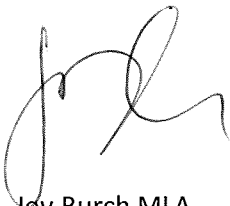
The Standing Committee on Planning and Urban Renewal to be consulted in relation to appointments made by Ministers to statutory offices in the following areas of responsibilities of the Executive:

- planning, the planning process, consultation requirements;
- amendments to the Territory Plan
- land management; and

- design and sustainability outcomes (including energy performance and policy matters to support a range of housing options).

The Standing Committee on Public Accounts be consulted in relation to appointments made by Ministers, or the Speaker of the Assembly, to statutory offices in the following areas of responsibility:

- taxation and revenue;
- market and regulatory reform;
- public sector management;
- the work of the Auditor-General; and
- appointments which do not fit into the categories defined above (see Item 2).



Joy Burch MLA
Speaker
19 March 2018