



Shane Rattenbury MLA

Attorney-General
Minister for Consumer Affairs
Minister for Water, Energy and Emissions Reduction
Minister for Gaming

Member for Kurrajong

Mr Jeremy Hanson MLA
Chair-Standing Committee of Justice and Community Safety
ACT Legislative Assembly
CANBERRA ACT 2601

Dear Mr Hanson *Jeremy*

I refer to the Committee's Scrutiny Report 9 dated 28 September 2021, with respect to Disallowable Instrument DI2021-201 appointing three members of the Public Trustee and Guardian Investment Board, under paragraph 48(1)(b) of the *Public Trustee and Guardian Act 1985*.

I note that the explanatory statement for Disallowable Instrument DI2021-201 did not contain a statement to the effect that 'the person appointed is not a public servant', contrary to the technical and stylistic expectations of the Committee. I regret any lack of clarity about the appointees' status.

I am pleased now to confirm that:

- Ms Serhan Mackey and Ms Catherine Dube are not public servants; but
- Ms Tracy Savage is a public servant.

That Ms Savage is a public servant is apparent from the Explanatory Statement – which notes that she is CEO and Registrar of the ACT Long Service Leave Authority. Because Ms Savage is a public servant, her appointment needed only to be 'in writing'. However, I am advised that her inclusion in the Disallowable Instrument, satisfies the 'in writing' requirement.

I trust this information clarifies matters.

Yours sincerely

Shane Rattenbury MLA
Attorney-General

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