



Shane Rattenbury MLA

Attorney-General

Minister for Consumer Affairs

Minister for Water, Energy and Emissions Reduction

Minister for Gaming

Member for Kurrajong

Mr Jeremy Hansen CSC MLA

Chair,

Standing Committee on Justice and Community Safety (Legislative Scrutiny Role)

ACT Legislative Assembly

CANBERRA ACT 2601

Dear Mr. Hansen

I am responding to a comment by the Standing Committee on Justice and Community Safety Scrutiny Committee in the Committee's Scrutiny Report 6 dated 15 June 2021, about the appointment of Mr Michael White as a member of the Public Trustee and Guardian Investment Board. The Committee considered Mr White's appointment in the context of the Committee's legislative scrutiny jurisdiction.

Disallowable Instrument DI2021-56 relates to the Public Trustee and Guardian (Investment Board) Appointment 2021 (No 1) made under paragraph 48(1)(b) of the *Public Trustee and Guardian Act 1985* and appointed a specified person as a member of the Public Trustee and Guardian Investment Board.

Paragraph 227(2)(a) of the *Legislation Act 2001*, provides that an instrument of appointment is not disallowable if it appoints a public servant. The Committee requires that the explanatory statement for an instrument of appointment contains a statement to the effect that "the person appointed is not a public servant".

Regrettably, the Instrument in this case omitted to state that Mr White is not a public servant.

I am pleased now to confirm that Mr White is not a public servant.

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I trust this adequately responds to the Committee's comment.

Yours sincerely

Shane Rattenbury MLA
Attorney-General