

Gambling and Racing Commission Appointment 2005 (No 2)

Disallowable instrument DI2005–263

Made under the

***Gambling and Racing Control Act 1999*, s 12(2): Membership of Commission – Schedule 1, Clause 2(1): Appointment of ordinary members; Schedule 1, Clause 3(2): Appointment of Chairperson; and Schedule 1, Clause 5(1) and 5(2): Term of office.**

Explanatory Statement

The *Gambling and Racing Control Act 1999* (the Act) establishes a Commission that is responsible for controlling and regulating all gaming, racing and betting activities in the ACT.

Schedule 1, Clause 2(1) enables the Minister to appoint ordinary members to the Commission. Schedule 1, Clause 3(2) enables the Minister to appoint an ordinary member to act as chairperson when the chairperson is for any reason unable or unavailable to act in that capacity. Schedule 1 Clause 5(1) and 5(2) enables a member of the Commission to be reappointed for a term of office, not exceeding 3 years.

This instrument reappoints Ms Judy Sullivan as an ordinary member of the Commission and deputy chairperson for a period of three years commencing on 1 December 2005 until 30 November 2008. Ms Sullivan's current appointment as an ordinary member and deputy chairperson expires on 30 November 2005.

This instrument makes an appointment to which the *Legislation Act 2001*, division 19.3.3. applies. Accordingly, under the *Legislation Act 2001*, section 229, the instrument is a disallowable instrument.

Pursuant to section 228 of the *Legislation Act 2001*, ministers are required to consult the relevant Standing Committee of the ACT Legislative Assembly concerning appointments to a statutory office, unless the appointments come within the exemptions permitted by section 227 of that Act. Ms Sullivan is not an ACT Public Servant and this reappointment was referred to the Standing Committee on Public Accounts (the Committee). The Committee has considered the reappointment and has advised that it has no recommendation to make.