

Australian Capital Territory

# Racing Appeals Tribunal Appointment 2007 (No 2)

## Disallowable instrument DI2007-232

Made under the

***Racing Act 1999*, s 40 (Membership) and sch 1, s 1.1 (Tribunal members-appointment)**

## EXPLANATORY STATEMENT

---

Section 38 of the *Racing Act 1999* (the Act) establishes the Racing Appeals Tribunal to hear and determine appeals from persons aggrieved by a decision of a controlling body, an approved racing organisation or another person conducting a race meeting in the ACT.

Section 40 of the Act provides that the tribunal must consist of a president, a deputy president and 4 other members, and that the appointment and conditions of office of members of the tribunal must be in accordance with schedule 1.

Schedule 1, clause 1.1 of the Act provides that members of the tribunal are to be appointed by the Minister. Schedule 1, clause 1.3 of the Act provides that a member of the tribunal must be appointed for a term not longer than 3 years.

The Minister has reappointed Magistrate Grant Lalor as President, Mr Robert Cook as Deputy President and Mr Philip Drever as member. The Minister has appointed Ms Lois Fordham and Ms Thena Kyprianou as members.

Section 7G of the *Magistrates Court Act 1930* requires that a magistrate not accept appointment to another office under a law of the Territory without the written consent of the Attorney General. The provision also requires that the Attorney General consult with the Chief Magistrate before giving consent. Consequently, the Attorney General, following consultation with the Chief Magistrate, has consented to Magistrate Lalor's reappointment.

Under section 229 (Appointment is disallowable instrument) of the *Legislation Act 2001* the instrument making the appointments is a disallowable instrument.

The Standing Committee on Public Accounts has been consulted about these appointments and reappointments in accordance with section 228 (Consultation with appropriate Assembly committee) of the *Legislation Act 2001*. The Committee advised that it has no recommendation to make on the appointments and reappointments.

The reappointments and appointments commence the day after this instrument is notified and end 31 October 2008.