

Domestic Violence Agencies (Project Coordinator) Appointment 2008 (No 1)

Disallowable Instrument DI2008- 19

made under the

Domestic Violence Agencies Act 1986, s11

EXPLANATORY STATEMENT

The *Domestic Violence Agencies Act 1986* (the Act), at section 11, provides for the appointment by the Minister of the Domestic Violence Project Coordinator (DVPC).

The instrument reappoints a person to the DVPC in accordance with the Act commencing on 22 May 2007 until 21 May 2010.

The *Domestic Violence Agencies Act 1986* section 16 provides that the DVPC has a legal immunity in relation to the performance of the DVPC's functions under the Act. It is appropriate that Ms Holder's appointment be backdated to commence from 22 May 2007 to ensure that this immunity extends to the performance of the DVPC's functions while Ms Holder has been carrying out the tasks of the position.

Section 76 of the *Legislation Act 2001* provides that a statutory instrument may commence retrospectively if it does not operate prejudicially. The retrospective appointment does not impose any liabilities on any person. It ensures that Ms Holder's right to legal immunity in relation to the performance of her function as DVPC extends to the period in which she was acting in the position.

Ms Holder is not an ACT public servant. Pursuant to section 228 of the *Legislation Act 2001*, this appointment required consultation with the Standing on Committee on Legal Affairs. The Committee was consulted on this appointment and has advised that it has no comment.