

Australian Capital Territory

## Explanatory Statement

# Legal Profession (Disciplinary Tribunal) Appointments 2008 (No 2)

Disallowable Instrument DI 2008- 175

made under the

***Legal Profession Act 2006, section 566(1)***

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Part 7.2 of the *Legal Profession Act 2006* establishes the Legal Practitioners Disciplinary Tribunal and provides for the appointment and nomination of its membership. Section 566(1) of the Act requires the Attorney General to appoint the Chair and the Deputy Chair of the Tribunal.

The function of the Disciplinary Tribunal is to decide applications, made to it under Part 4.7 of the Act, in relation to complaints against legal practitioners. It may also perform any other function given to it under this Act or another Territory law.

Section 567 of the Act provides that a member of the Tribunal must not be appointed for more than 3 years.

This instrument appoints David Clement Darold Harper as the Chair of the Tribunal, and John Foster Gallop as its Deputy Chair. Each appointment commences 1 July 2008 and ends on 30 June 2009.

Neither of the appointees is a public servant as defined under the *Legislation Act 2001*. Both are judicially qualified, as required by section 566(2) of the Act. Section 566(7) defines “judicially qualified”.

As required by the *Legislation Act 2001*, the Standing Committee on Legal Affairs has been consulted on the appointments.