

Australian Capital Territory

Gambling and Racing Control (Governing Board) Appointment 2009 (No 2)

Disallowable instrument DI2009–250

made under the

Gambling and Racing Control Act 1999, s 11 (Establishment of governing board), s12 (Governing board members)

Financial Management Act 1996, s 78 (Appointment of governing board members generally)

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.

The *Gambling and Racing Control Act 1999*, s11 establishes a governing board.

The *Financial Management Act 1996*, s78 enables the Minister to make appointments of governing board members generally.

This instrument appoints **Mr Malcolm Gray** as member and chair of the Commission commencing the day after this instrument is notified and is effective for 3 years. Mr Gary has been Chairman of the Commission since 2004.

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. Mr Gray is not an ACT Public Servant and this appointment was referred to the Standing Committee on Public Accounts (the Committee). The Committee has considered the appointment and has advised that it has no recommendation to make.