

Australian Capital Territory

Long Service Leave (Portable Schemes) Governing Board Appointment 2010 (No 1)

Disallowable instrument DI2010—148

EXPLANATORY STATEMENT

The *Long Service Leave (Portable Schemes) Act 2009* (the Act) establishes a portable long service leave scheme for workers in the building and construction industry, and the contract cleaning industry. Section 20 of the Act establishes the Governing Board. Section 21 of the Act establishes the member representation of the Governing Board.

Mr Dean Hall is appointed under section 21 (2) (b) of the Act as a member to represent employee organisations.

Section 78 of the *Financial Management Act 1996* allows the Minister to appoint the Governing Board members generally.

The appointee is not a Public Servant and this instrument makes an appointment to which the *Legislation Act 2001*, Division 19.3.3 applies. Accordingly, under the *Legislation Act 2001*, s.229 the instrument is a disallowable instrument.

This appointment has been approved by the Minister and the Standing Committee on Justice and Community Safety has been consulted in accordance with section 228 (consultation with appropriate Assembly committee) of the *Legislation Act 2001*.

Section 78 of the *Financial Management Act 1996* provides that an appointment of a member must be for no longer than three years, unless the establishing Act allows for a longer period. While section 21 (5) of the Act provides for terms up to 5 years, Mr Hall's appointment is until 31 December 2013. This is consistent with the term of the position on the Board made available upon the resignation of the previous appointee.