

Australian Capital Territory

Work Safety Council (Acting Employer Representative) Appointment 2010 (No 2)

Disallowable instrument DI2010-221

made under the

Work Safety Act 2008, s 186 (b) (Membership) and *Legislation Act 2001*, section 209 (Power of appointment includes power to make acting appointment)

EXPLANATORY STATEMENT

This instrument appoints Mr Jerry Howard as an acting member of the Work Safety Council (the Council) to represent the interest of employers from the day after notification for a term of 3 years.

The appointment is made under section 186 (b) of the *Work Safety Act 2008* (the Act). Section 165 (1) (a) of the Act gives the Council the function of advising the Minister on matters relating to work safety and workers' compensation.

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*.

Acting members of the Council can fulfil the role of the member for whom they are appointed as an acting member. This would only occur when the member cannot exercise the functions of their position as provided for in s.209 of the *Legislation Act 2001*. This might include short absences of that member due to illness or other unavailability or if a permanent vacancy arises, for no longer than 12 months.