

Electoral Act – Appointment of Acting Electoral Commissioner 2003 (No 1)

Disallowable instrument DI2003—48

made under the

Electoral Act 1992, s 22 (Appointment)

EXPLANATORY STATEMENT

This instrument made by the Executive under section 22 of the *Electoral Act 1992* appoints the Deputy Electoral Commissioner as acting Electoral Commissioner when the Electoral Commissioner is absent on approved leave (other than personal leave) for periods of greater than five days, excluding weekends or public holidays.

The instrument sets out the employment conditions to apply to the appointment and details circumstances where the automatic appointment will not apply.

The *Legislation Act 2001* requires acting appointments to statutory positions to be subject to the same requirements as substantive appointments. Section 22 of the *Electoral Act 1992* provides that, before a person is appointed as Commissioner, the relevant Minister is required to consult with the leader of each political party in the Assembly, and all members who are not members of a party, about the proposed appointment.

Consultation was undertaken and there were no objections to the appointment.

This instrument takes effect from the date of notification.