

Australian Capital Territory

Explanatory Statement

Public Health (Chief Health Officer) Appointment 2011

Disallowable Instrument DI2011-83

made under the

Public Health Act 1997, section 7 (Statutory Offices)

Section 7 of the *Public Health Act 1997* (the Act) provides that the Minister for Health shall by instrument appoint a person to the position of Chief Health Officer. The Act also requires that the person so appointed must be a public servant and a doctor.

The Instrument allows for the appointment of Dr Paul Kelly as the ACT Chief Health Officer. Dr Kelly is a public servant and a doctor.

The appointment confers on Dr Kelly the statutory powers under the *Public Health Act 1997* as set out in section 9 of the Act.

This instrument commences on the day after notification and will coincide with the commencement of the suspension of Dr Charles Guest's appointment as Chief Health Officer. Similarly, the appointment concludes on 30 June 2014, which is the date that the suspension of Dr Guest's appointment ends, at which point Dr Guest returns as the ACT Chief Health Officer.

Pursuant to section 7 of the Act, this instrument of appointment is a disallowable instrument.

As Dr Kelly is a public servant, consultation with the Standing Committee on Health, Community and Social Services was not required.