

Explanatory Statement

Public Health (Chief Health Officer) Appointment 2011 (No 2)

Disallowable Instrument DI2011-112

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

The appointment confers on Dr Kelly the statutory powers under the *Public Health Act 1997* as set out in section 9 of the Act. The instrument also repeals DI2011-82 and DI2011-83. Following notification on the ACT Legislation Register DI2011-82 and DI2011-83 were found to be invalid.

This instrument commences on the day after notification and concludes on 30 June 2014.

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