

Australian Capital Territory

Long Service Leave (Portable Schemes) Governing Board Appointment 2012 (No 1)

Disallowable instrument DI2012-80

made under the

Long Service Leave (Portable Schemes) Act 2009, s 20 (Establishment of governing board)
(see also **Financial Management Act 1996, s 78 and s 79**)

EXPLANATORY STATEMENT

This instrument appoints Mr Howard Pender as Deputy Chair and independent member of the Long Service Leave Governing Board (the Board) commencing the day after notification for a term of 4 years.

Section 20 of the *Long Service Leave (Portable Schemes) Act 2009* (the Act) establishes the Governing Board. Section 21 of the Act establishes the member representation of the Governing Board.

Mr Pender is appointed under section 21 (2) (c) of the Act as a member who does not represent either employer or employee organisations. Section 22 of the Act provides that the Minister must appoint a member appointed under section 21 (2) (c) as deputy chair. Mr Pender is appointed deputy chair under section 79 of the *Financial Management Act 1996*.

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

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 Pender's appointment is for 4 years.