

Australian Capital Territory

Long Service Leave (Portable Schemes) Governing Board Appointment 2019 (No 1)

Disallowable instrument DI2019-6

made under the

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

EXPLANATORY STATEMENT

This instrument appoints Mr Howard Pender as an Independent Chair to the Long Service Leave Governing Board (the Board) commencing the day after notification for a term of three years.

Section 79E of the *Long Service Leave (Portable Schemes) Act 2009* (the Act) establishes the Governing Board. Section 79F of the Act establishes the appointment of members to the Governing Board.

Mr Pender is appointed under section 79F (2) (c) of the Act as an Independent Chair to the Board. Section 79 of the *Financial Management Act 1996* allows the Minister to appoint a Chair to the Board.

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, this instrument is a disallowable instrument.

This appointment has been approved by the Minister and the Standing Committee on Education, Employment and Youth Affairs 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 79F (5) of the Act provides for terms up to five years, Mr Pender's appointment is for three years.