

Australian Capital Territory

# Legal Aid (Commission President) Appointment 2020

Disallowable instrument DI2020–12

made under the

*Legal Aid Act 1977*, s 16(2) (Constitution of board)

## EXPLANATORY STATEMENT

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Section 6 of the *Legal Aid Act 1977* (the Act) establishes the Legal Aid Commission (ACT). The Commission's functions include provision of legal assistance in ACT matters in accordance with the Act.

Part 3 of the Act establishes the board for the Commission. Under section 16(1)(a), the board must include a president of the Commission.

This instrument appoints Ms Karen Fryar as the President of the Commission for a period of five years.

Section 50(1) of the Act provides for the eligibility requirements for appointment as the president of the Commission. As Ms Fryar was a Magistrate in the ACT, the appointment meets the eligibility requirements under section 50(1)(b).

Under section 228 of the *Legislation Act 2001* (the Legislation Act), this appointment required consultation with the Standing Committee on Justice and Community Safety. The Attorney-General wrote to the Standing Committee on 18 December 2019. Section 228(3) of the Legislation Act prohibits the Attorney-General from making the appointment until a recommendation from the Standing Committee is received or 30 days have passed. No response had been received at the time this instrument was signed.