

Integrity Commission (Commissioner Selection Criteria and Process) Determination 2021

Disallowable instrument DI2021–36

made under

Integrity Commission Act 2018, s 27 (Commissioner—selection criteria and process)

EXPLANATORY STATEMENT

Section 27 (1) of the *Integrity Commission Act 2018* (the Act) states that the Speaker must make a determination (***a commissioner selection criteria and process determination***) about the criteria that apply to the selection of a person for appointment as commissioner and the process for selecting the person.

This instrument makes a ***commissioner selection criteria and process determination***.

Section 27 (2) sets out the things that the Speaker must do in making a ***commissioner selection criteria and process determination***.

In making the determination, the Speaker has:

- consulted with the persons mentioned in s 27 (2) (a);
- ensured, through the drafting of the determination, an open, accountable and competitive selection process; and
- had regard to selection criteria determined under s 4AA of the *Supreme Court Act 1933*.

The determination provides that an appointment advisory panel, appointed by the Speaker, must provide to the Speaker:

- a) a recommendation as to which applicant it considers is the most suitable applicant out of those applicants meeting the eligibility requirements under s 26 (1) (a) to (d) of the Act;
- b) if no applicant meets the eligibility requirements under s 26 (1) (a) to (d) of the Act, a recommendation as to which applicant it considers is the most suitable applicant out of those applicants meeting the eligibility requirements under s 26 (1) (e) of the Act;

- c) ranked order of merit, including a statement of reasons, where more than one applicant is assessed by the panel as being suitable; and
- d) a statement of reasons where the panel considers that an applicant who is a person mentioned in s 26 (1) (a) to (e) of the Act is not suitable.

The determination provides that, in exercising the Speaker's power of appointment, the Speaker must consider the panel's the recommendation and may consider, consistent with s 26 (2) of the Act, any order of merit and accompanying statement of reasons of the panel.

The determination revokes DI2019-1 made by the Speaker on 14 January 2019.