

Australian Capital Territory

University of Canberra Council Appointment 2022 (No 1)

Disallowable instrument DI2022–38

made under the

University of Canberra Act 1989, Section 11 (Constitution of council)

EXPLANATORY STATEMENT

This instrument reappoints Ms Patricia Kelly PSM as a member of the University of Canberra Council (the UC Council) for a period of three years beginning on 12 April 2022. Ms Kelly is eligible for reappointment as she has served only one term on the UC Council and for fewer than six years. The appointee is not a public servant, and the determination is a disallowable instrument for the purpose of division 19.3.3 of the *Legislation Act 2001*.

The *University of Canberra Act 1989* (the UC Act) governs the establishment and governance arrangements of the University of Canberra. The powers and functions of the UC Council are established by division 2.2 of the UC Act.

Section 11 (1) (d) of the UC Act requires eight of the members of the UC Council to be appointed by the Chief Minister. Section 11A (1) of the UC Act permits the UC Council to make recommendations to the Chief Minister for such appointments.

In making such appointments, sections 11A (2) and 11A (3) of the UC Act require the Chief Minister to “have regard to the desirability of ensuring there is a balance of skills, expertise and gender among members of the council,” and, “ensure that the members appointed have skills . . . to contribute to the effective working of the council; and, have an appreciation of the values of a higher education provider.”

Sections 11A (5) and 12 of the UC Act prohibit the appointment of certain persons to the UC Council, to include elected officials, staff and students of UC, persons disqualified from running corporations, and persons convicted of certain offences.

The reappointment of Ms Kelly is being made on the recommendation of the UC Council, after consultation with Diversity Offices, following review by the Executive, and after consultation with the Legislative Assembly Standing Committee on Education and Community Inclusion.