

Australian Capital Territory

# Civil Law (Wrongs) Professional Standards Council Appointment 2023 (No 1)

Notifiable instrument NI2023-141

made under the

**Civil Law (Wrongs) Act 2002, Schedule 4, s 4.38 (Membership of council)**

## EXPLANATORY STATEMENT

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All States and Territories have enacted legislation which enables the establishment of the national Professional Standards Councils. The Professional Standards Councils is made up of individual jurisdictional professional standards councils. The objects of the Professional Standards Councils are to enable the creation of schemes to limit the civil liability of professionals and others, to facilitate the improvement of occupational standards, and to protect consumers of professional services across Australia.

Section 4.36 of Schedule 4 to the *Civil Law (Wrongs) Act 2002* provides for the establishment of the ACT Professional Standards Council (**ACT PSC**). The ACT PSC consists of eleven people appointed by the Minister who have the experience, skills and qualifications the Minister considers appropriate to enable them to make a contribution to the work of the ACT PSC.

All States and Territories have agreed to appoint the same eleven members to their professional standards councils. The Professional Standards Councils will be comprised of one member nominated by each of the States and Territories and the Commonwealth, with the exception of NSW and Victoria, which will nominate two.

New South Wales has appointed Mr Andrew Lumsden as a member and Deputy Chairperson of its Professional Standards Council until 31 March 2024.

The instrument appoints Mr Lumsden as a member and Deputy Chairperson of the ACT PSC until 31 March 2024.

The Minister is satisfied that Mr Lumsden possesses the experience, skills and qualifications to enable him to make a contribution to the work of the ACT PSC.

Mr Lumsden is not a public servant as defined under the *Legislation Act 2001*.

Due to the amendments progressed in the *Justice and Community Safety Legislation Amendment Act 2021*, the requirement for consultation with the Standing Committee

on Justice and Community Safety does not apply to the appointment of a person who is already a member of an appropriate council in another jurisdiction to the roles of member, Deputy Chairperson or Chairperson of the ACTPSC.