

Australian Capital Territory

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2025 (No 1)

Disallowable instrument DI 2025-10

made under the

Variation in Sex Characteristics (Restricted Medical Treatment) Act 2023, section 31 (Membership of assessment board).

EXPLANATORY STATEMENT

This instrument appoints Anna Brown to the role of president of the Restricted Medical Treatment Assessment Board (the board), under the *Variation in Sex Characteristics (Restricted Medical Treatment) Act 2023* (the Act). Under section 31 of the Act, the Minister may make appointments to the board.

In appointing a president to the board, the Minister must be satisfied that the person has the qualities and experience necessary to exercise their functions under the Act, including as an assessment committee or internal review committee member in the category of human rights (section 31 (3) (a)). Anna Brown was formerly appointed as a member of the board in the human rights category. Anna Brown is not an ACT public servant and meets the requirements for this appointment.

Anna Brown was previously appointed to the position of president by NI2024-702 for a period of six months following the resignation of the inaugural president, Megan Mitchell. The short-term appointment was made to ensure continuity in the president role whilst the necessary steps were undertaken to appoint her for the full five-year term.

Anna Brown is being appointed to the president role until 13 December 2029. This equates to a five-year term that includes her short-term appointment as president on 14 December 2024 (under NI2024-702). Five years is the maximum period allowed for appointments under the Act (section 31(5)).

This instrument revokes the Disallowable Instrument DI2023-319, which appointed Anna Brown as a member of the board. Additionally, this instrument revokes the Notifiable Instrument NI2024-702, which appointed Anna Brown to the short-term role of president of the board.

Pursuant to section 228 of the *Legislation Act 2001*, Ministers are required to consult the relevant Standing Committee of the ACT Legislative Assembly on appointments to a statutory position, unless the appointments come within the exemptions permitted by section 227 of that Act. This appointment was referred to the Standing Committee on Social Policy (the Committee). The Committee has considered the appointment and has advised that it has no comment to make.

Section 229 of the *Legislation Act 2001* provides that the instrument is a disallowable instrument.