

Architects Board (Representative Body Member) Appointment 2025

Disallowable instrument DI2025–98

made under the

Architects Act 2004, s 70 (Board membership)

EXPLANATORY STATEMENT

This explanatory statement relates to the *Architects Board (Representative Body Member) Appointment 2025* as made by the Minister. It has been prepared in order to assist the reader of the instrument and to help inform debate on it. It does not form part of the instrument and has not been endorsed by the Legislative Assembly.

Overview

Section 64 of the *Architects Act 2004* (the *Act*) establishes the Australian Capital Territory Architects Board (the *architects board*). The functions of the architects board are set out in section 65 of the Act.

Under section 66 of the Act the architects board must exercise its functions independently, impartially and in the public interest, subject to a written ministerial direction (as per sections 68 and 69 of the Act).

The Act provides the Minister with the authority to appoint members to the architects board. In accordance with section 70 (1) (a) one board member must be nominated by a representative body. A representative body is an entity that has a main purpose of promoting the interests of architects.

Under section 71, the appointments are for a period not longer than 3 years.

Appointment

This disallowable instrument appoints Mr Sander de Vries as the representative body member from the date of commencement of this instrument for a period of three years.

Mr de Vries was nominated in writing by the Australian Institute of Architects, ACT Chapter Council. The appointee is not an ACT public servant.

Consultation

Division 19.3.3 of the *Legislation Act 2001* (the ***Legislation Act***) applies as Mr de Vries is not a public servant, is appointed for longer than 6 months and will have functions beyond advising the Minister. In accordance with section 228 of the *Legislation Act*, the Standing Committee on Environment, Planning, Transport and City Services has been consulted and noted the appointment.

Regulatory Impact Statement (RIS)

A RIS is not required for this disallowable instrument as it is unlikely to impose appreciable costs on the community (section 34 (1) of the *Legislation Act*). Further, in accordance with section 36 (1) (b) of the *Legislation Act*, a RIS is not necessary as the matter does not operate to the disadvantage of anyone by adversely affecting the person's rights or imposing liabilities on the person.

Remuneration

Remuneration for the architects board is set by the ACT Remuneration Tribunal under Determination 15 of 2024 (Part-time Public Office Holders).

Human Rights

The Standing Committee on Legal Affairs (Legislative Scrutiny Role) terms of reference require consideration of human rights impacts, among other matters. In this case, no human rights are impacted.