

ACT Civil and Administrative Tribunal (Presidential Appointment Requirements) Determination 2016

Notifiable instrument NI2016–247

made under the

ACT Civil and Administrative Tribunal Act 2008, s 95 (Requirements of appointment – presidential members)

1 Name of instrument

This instrument is the *ACT Civil and Administrative Tribunal (Presidential Appointment Requirements) Determination 2016*.

2 Commencement

This instrument commences on the commencement of the *ACT Civil and Administrative Tribunal Amendment Act 2016 (No 2)*, section 5.

3 Revocation

This instrument revokes the *ACT Civil and Administrative Tribunal (Presidential Appointment Requirements) Determination 2015* [NI2015-578].

4 Determination – requirements for appointment as President

- 1) The Executive determines that a person may be appointed as President of the Tribunal under section 94(1)(a) of the Act if the person satisfies the eligibility requirements for appointment as a magistrate set out in division 2.2.1 of the *Magistrates Court Act 1930*.
- 2) The Executive determines that, before selecting a person to appoint as President of the Tribunal, the Attorney-General will:
 - a. seek expressions of interest for the position by public advertisement; and
 - b. write to key ACT justice system stakeholders inviting them to nominate suitably qualified candidates for the position; and
 - c. have regard to the selection criteria set out in schedule 1.

5 Determination – requirements for appointment as other presidential member

The Executive determines that a person may be appointed as an other presidential member under section 94(1)(b) of the Act if the Attorney-General has:

- a. sought expressions of interest for the position by public advertisement; and
- b. had regard to the selection criteria set out in schedule 1.

5 Determination – requirements for appointment as a temporary presidential member

The Executive determines that a person may be appointed temporarily as President or other presidential member under section 94(2) of the Act if the Attorney-General is satisfied that the nominated person has the experience, skills and qualifications to undertake the work of a presidential member of the Tribunal.

Simon Corbell MLA
Attorney-General
23.05.16

Yvette Berry
Minister
23/05/2016

Schedule 1

Selection criteria for appointment as President and other presidential member

Intellectual capacity:

- Appropriate knowledge of the relevant law and its underlying principles
- High level of expertise in your chosen area or profession
- Ability to quickly absorb and analyse information

Personal qualities:

- Integrity and independence of mind
- Sound judgement
- Decisiveness
- Objectivity
- Ability and willingness to learn and develop professionally

An ability to understand and deal fairly:

- Ability to treat everyone with respect and sensitivity whatever their background
- Willingness to listen with patience and courtesy.

Authority and communication skills:

- Ability to explain the procedure and any decisions reached clearly and succinctly to all those involved
- Ability to inspire respect and confidence
- Ability to maintain authority when challenged.

Efficiency:

- Ability to work at speed and under pressure
- Ability to organise time effectively and produce clear reasoned judgments expeditiously, and
- Ability to work constructively with others (including leadership and managerial skills where appropriate).

Experience in a dispute resolution environment and in fields relevant to the divisions of the tribunal would be an advantage.