

**Legislative Council—No 46**

As received from the House of Assembly and read a first time, 15 February 2005

South Australia

**Acts Interpretation (Gender Balance) Amendment  
Bill 2004**

A BILL FOR

An Act to amend the *Acts Interpretation Act 1915*.

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## The Parliament of South Australia enacts as follows:

### Part 1—Preliminary

#### 1—Short title

This Act may be cited as the *Acts Interpretation (Gender Balance) Amendment Act 2004*.

#### 5 2—Commencement

This Act will come into operation on a day to be fixed by proclamation.

#### 3—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

### 10 Part 2—Amendment of *Acts Interpretation Act 1915*

#### 4—Insertion of section 36A

After section 36 insert:

#### 36A—Gender balance in nomination of persons for appointment to statutory bodies

- 15 (1) This section applies if an Act provides for a member of a body to be appointed by the Governor or a Minister on the nomination of a non-government entity.
- 20 (2) If the Act provides for the non-government entity to nominate a panel of persons from which the Governor or Minister is to select a person for appointment, the Act will be taken to provide that the panel—
  - (a) must include at least 1 woman and 1 man; and
  - (b) must, as far as practicable, be comprised of equal numbers of women and men.

- 5 (3) If the Act does not provide for the non-government entity to nominate a panel of persons from which the Governor or Minister is to select a person for appointment, the Act will be taken to provide that—
- (a) the non-government entity must nominate a panel of persons comprised of not less than twice the number of members of the body to be appointed on the nomination of the entity plus one; and
- 10 (b) the panel—
- (i) must include at least 1 woman and 1 man; and
- (ii) must, as far as practicable, be comprised of equal numbers of women and men; and
- (c) the Governor or Minister must select the person for appointment from the panel.
- 15 (4) This section does not derogate from the need to properly assess merit in selecting persons for appointment.
- (5) In this section—
- 20 ***non-government entity*** means a person or body other than an officer, agency or instrumentality (including a Minister) of the Crown in right of the State or the Commonwealth or another State or a Territory of the Commonwealth.