

South Australia

Acts Interpretation (Gender Balance) Amendment Act 2005

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

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Amendment provisions

Part 2—Amendment of *Acts Interpretation Act 1915*

- 4 Insertion of section 36A
36A Gender balance in nomination of persons for appointment to statutory bodies
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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 2005*.

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.

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

- (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.
- (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.
- (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
 - (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.
- (4) This section does not derogate from the need to properly assess merit in selecting persons for appointment.
- (5) In this section—

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.