



**ACT**  
Government

# Terms of Reference

Ministerial Advisory Council for  
Multiculturalism

April 2023

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## Introduction

This document sets out the roles and responsibilities of the Ministerial Advisory Council for Multiculturalism (the Council). It provides guidance on the Council's purpose, roles, responsibilities, operations, tenure and obligations, in accordance with requirements under the ACT [Multiculturalism Act 2023](#) (the Act) and broader ACT Public Service requirements).

## Role of the Ministerial Advisory Council for Multiculturalism

The Ministerial Advisory Council for Multiculturalism (the Council) has been established under the *Multiculturalism Act 2023* (the Act) to provide strategic advice to the Minister for Multicultural Affairs on aspirations, needs and concerns of people from culturally and linguistically diverse backgrounds living in the ACT. The Council has a role in advocating on systemic or whole-of-government issues affecting their interests. The Council also provides a link between the Minister for Multicultural Affairs and the multicultural community.

The work of the Council reflects the principles and responsibilities in the Charter for Multiculturalism to develop an inclusive and welcoming Canberra. The Council will monitor the progress of achievements towards these principles and responsibilities through consultation with people from culturally and linguistically diverse backgrounds and relevant organisations.

In accordance with the Act, the Council is the peak body responsible for advancing multiculturalism in the ACT. This includes advising the Minister for Multicultural Affairs on:

- ways to promote multiculturalism and being a welcoming and inclusive city, including strategies for:
  - increasing community engagement in ACT Government consultation processes;
  - reducing barriers for Canberra's culturally and linguistically diverse community; and
  - welcoming and including migrants, refugees and asylum seekers
- accessibility, sustainability and effectiveness of government policies and programs in promoting multiculturalism, including:
  - ensuring the needs of people from diverse backgrounds are considered by the ACT Government when developing, implementing and evaluating policies, programs and services; and
  - advising the Minister how services and programs funded by the Government can be responsive to the needs of people from diverse backgrounds.

## Responsibilities of the Ministerial Advisory Council for Multiculturalism

The Council has a broad range of responsibilities including to:

- engage with individuals and bodies in the ACT on promoting multiculturalism and identifying the changing needs and priorities of multicultural communities in the ACT
- raise awareness about the Multiculturalism Act and its Charter for Multiculturalism in the broader ACT community.

In line with these responsibilities, the Council will collaborate with key stakeholders, communities, community organisations and community representatives to undertake the following:

- **Engagement**
  - As a collective body, hold at least one community forum each year in partnership with the Minister.
  - Share relevant information with community members and other key stakeholders. This includes, where appropriate, and in collaboration with the Directorate, updates to community groups on relevant consultations and government initiatives.
  - Facilitate information sharing between key stakeholders.
  - Prepare a community engagement plan.
  - Independently liaise and engage regularly with communities, service providers, community organisations, peak bodies, businesses, and other key stakeholders to identify needs, issues and concerns related to government policies and programs, to canvas views and priorities and inform Council business. This may be done at routine meetings of community organisations, or through specially scheduled meetings, and should be reported to Council. Consultation should be systematic and wide-ranging. Outcomes of consultations should also be reported to the Minister. Establishing and maintaining collaborative engagement with the community sector and business entities also provides an opportunity to share matters affecting multicultural communities to inform good practice for promoting multiculturalism.
  - Facilitate a collective approach to raising issues with the Minister.
  - Advise the Minister on strategic policy and service priorities for people from culturally and linguistically diverse backgrounds.
  - Engage across the multicultural community when developing advice.
  - Establish and maintain cooperative networks with other ministerial advisory bodies and relevant ACT Government agencies to address multicultural issues across agencies and ensure issues of intersectionality<sup>1</sup> are considered.
  - Investigate matters referred by the Minister for response on behalf of the multicultural community.
  - Alert the Minister to relevant emerging issues, potential risks and opportunities.
  - Serve as a point of contact for the community regarding systemic issues.
- **Promotion**
  - Prepare a communications plan for promoting the work of the Council and the Multiculturalism Act.

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<sup>1</sup> Intersectionality refers to the ways in which different aspects of a person's identity (such as gender, race, ethnicity, culture, sexual orientation, gender identity, disability, class, age, mental health) shape their life experiences. The intersection of these identities creates unique dynamics and intersectional experiences which present a range of privileges for some, and discrimination and exclusion for others. Attitudes, systems and structures within communities and organisations also interact to impact people's life experiences.

- Planning and reporting
  - The Council must develop an annual plan of its proposed activities and submit it to the Minister for Multicultural Affairs for review and endorsement and publication. The plan should reflect issues identified by the community and align with Ministerial priorities.
  - The Council will publish a summary of issues discussed at each meeting, actions taken and priorities for the coming months.
  - The Council prepare an annual report on their activities in accordance with section 14 of the *Multiculturalism Act 2023*.
  - The Council publish submissions made to enquiries and consultations.
- Monitoring progress of the *Multiculturalism Act 2023*
  - Assess the government’s progress in implementing the principles and responsibilities of the Charter for Multiculturalism.
  - Provide the ACT Government, via the Minister, with direct and well-informed advice regarding people from culturally and linguistically diverse backgrounds, to ensure its experiences, concerns, expectations and aspirations are understood by Government.
- Advise
  - Alert the Minister to relevant emerging issues, potential risks, and opportunities.

## Chair

The Chair is responsible to the Minister for Multicultural Affairs for the operation of the Council. Their role is to:

- act as a public spokesperson for the Council, and attend key events that promote multiculturalism in the ACT
- lead the development of the Council’s work plan including consultations
- lead specific projects including out of session Council work
- maintain a positive and constructive atmosphere at Council meetings by encouraging courtesy, respect and openness
- consider innovative models and processes for generating ideas and problem solving
- assist members to work together as a group by:
  - facilitating orderly, participatory and constructive discussions between members on matters within the Council’s Terms of Reference
  - ensuring all members have equal opportunity to contribute ideas, opinions and concerns
  - creating a safe space which draws participation from all members.
- seek to resolve conflict within the group and provide feedback as necessary to group members on expressed opinions or actions
- ensure that any action arising from the Work Plan or meeting is appropriately assigned to members
- liaise with the Secretariat to develop meeting agendas and ensure any action required is appropriately assigned and progressed, and

- inform the Minister for Multicultural Affairs about the priorities and work of the group through meetings and correspondence.

## Deputy Chair

The Deputy Chair is expected to:

- act for the Chair in their absence
- attend forums on the Council business as the Chair's delegate
- attend key events that promote multiculturalism in the ACT, and
- otherwise assist the Chair as necessary.

## General members

Members are expected to:

- maintain links with the community
- promote and raise awareness of Canberra as a welcoming and inclusive city
- participate at community events and social gatherings to engage with community members, promote the work of the Council, ensure broad knowledge of the *Multiculturalism Act 2023*, and gain broad knowledge of community members' ideas, vision and challenges to achieve a welcoming and inclusive ACT
- support the Chair and Deputy Chair
- actively and constructively participate in Council meetings, community consultations, projects and other business
- actively participate in developing an annual plan for the Council, including mapping community consultations and engagements
- report back to the Council after each consultation to ensure community priorities, concerns and challenges are noted
- advise the Secretariat when they have completed agreed actions arising from previous meetings, and
- act in accordance with the provisions of these Guidelines.

While some members may be selected due to their knowledge and experience within community organisations, they are appointed as individuals to provide advice and opinions in the best interests of the ACT community, and not to represent an organisation.

## Powers of the Council

The Council is a legislated body, with functions described in the Act and addressed within these Terms of Reference. The Council has the Minister's endorsement to:

- respectfully consult with the community on their behalf

- report to the Minister on relevant current issues and strategic planning, and
- recommend policy or legislative changes, or other specific Government action.

The Council Chair, and their delegates, can speak at community forums on behalf of the Minister, with the Minister's express permission.

While the Community Services Directorate will regularly request the advice and assistance of the Council, the Directorate retains ultimate responsibility for community consultation and policy development.

## Membership

### Structure

The Council will have 11 members, including the Chair and the Deputy Chair.

### Composition and Representation

The Council will comprise of people who work together in the best interest of culturally and linguistically diverse communities to provide the Minister with advice on people's experiences of living in the ACT with regards to accessing services, inclusion and belonging.

The Council will strive to include representation from a broad cross section of the community, including individuals with relevant knowledge and experience due to their work with peak bodies and community organisations and groups; and individuals who have less, or no, affiliations with relevant organisations.

The Minister will consider the composition of the Council to ensure the group represents diversity, including an appropriate gender balance, experience of disability, diverse cultural and linguistic backgrounds, residency or immigration status, generations of migrants and their families, people who identify as lesbian, gay, bisexual, transgender, intersex or queer, Aboriginal and Torres Strait Islander people, people from diverse socio-economic backgrounds, occupations and people of different ages. The Minister will also give consideration to choosing members to provide a broad range of knowledge, skills, qualifications and experience relevant to the multicultural community.

The Minister has the discretion to appoint additional members, including representative members with expertise for particular projects as outlined in their Work Plan.

### Eligibility

Applicants must be ACT residents; work, study or volunteer in the ACT; or demonstrate another significant connection and commitment to the ACT.



## Selection Process

Members of the community can apply for Council membership through a merit-based selection process<sup>2</sup>. This involves preparing a written application and providing details of community referees.

## Term of Appointment

Appointments will be for a three-year term and members may serve a maximum of two terms (cumulative). Recruitment will be staggered to meet the ACT Government's diversity, representation and renewal principles as well as support the retention and transfer of skills and knowledge.

## Appointment

Individual community members, including the positions of Chair and Deputy Chair, will be appointed by the Minister for Multicultural Affairs following recommendations from a selection panel, and Cabinet endorsement.

Members must demonstrate they have the skills and expertise to undertake the functions of a member of the Council.

In addition to representing diverse groups, the Minister may appoint members with specific skills needed to assist the Council.

## Appointment of Chairperson and Deputy Chairperson

The Minister will appoint the Chair and the Deputy Chair of the Council. In the absence of both Chairperson and Deputy Chairperson, the Council will be suspended until a new Chair and/or Deputy Chair are appointed. Any Cabinet endorsed member can subsequently be appointed by the Minister as Chair or Deputy Chair without the need for further Cabinet endorsement.

## Leave of absence

Where a member is unable to attend a meeting, that member should submit an apology to the Secretariat and the Chair stating the reason for the absence. Apologies are noted in the minutes.

Where the Chair is an apology, the Deputy Chair will assume their role.

Where a member does not submit an apology and does not attend a meeting, they will be recorded as absent.

Proxies and/or observers will not be accepted to replace the absent member.

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<sup>2</sup> Merit based selection means comparing and weighing-up the skills, abilities and experience of each applicant to select the best person/people for the role.

Members' terms may be ended if they fail to attend two (2) consecutive meetings (regardless of whether an apology has been recorded).

Members may apply to the Minister for a Leave of Absence of up to three months from the Council. The Minister may grant any such application if it is permissible within the operational needs of the Council. The Minister can delegate the power to grant a leave of absence for up to three months to the Chair. The Chair must apply to the Minister for Multicultural Affairs for a Leave of Absence.

Applications for a Leave of Absence for longer than three months must be submitted to the Minister for Multicultural Affairs and will be granted at the discretion of the Minister for Multicultural Affairs. Where a leave of absence has been granted for more than three months, the Minister for Multicultural Affairs may appoint a casual replacement for the duration of the leave granted.

## Resignation

Members may resign from the Council at any time. All resignations must be provided in writing to the Minister and signed at least four weeks prior to the date of resignation. A copy of the notice of resignation must also be provided to the Chair. The appointment of replacement members is at the discretion of the Minister.

## Termination

The Minister retains the discretion to terminate a member's appointment in accordance with Section 12 of the *Multiculturalism Act 2023*.

## Expertise

Council members will be selected by the Minister based on the following expertise:

- Demonstrated commitment and ability to advancing of multiculturalism in the ACT and make a positive contribution within the multicultural community.
- Demonstrated commitment to and promotion of a welcoming and inclusive community
- Demonstrated understanding of contemporary, local issues relevant to cultural or linguistic diversity.
- Demonstrated ability to engage with culturally and linguistically diverse communities in Canberra and facilitate genuine consultations.
- Demonstrated commitment to improving their local community and sharing information about services and programs.
- Ability to contribute their community perspectives to inform ACT Government policies and programs.
- Commitment to participate fully in Council activities, in accordance with the Code of Conduct.
- Ability to contribute to Council processes and consultation activities.

Council members will be selected through a public, merit-based selection process.

## Operation of the Council

### General meetings

- Meetings will ordinarily be held every 2 months and at least 5 times per year. This may vary depending on the Council's workload. Working meetings (of the Council or sub-committees) may be convened if necessary, and work may be progressed out-of-session as required.
- Meetings are to be facilitated by the Chair, or in their absence, the Deputy Chair/s.
- The Minister may choose to attend meetings of the Council and will address the Council directly to describe themes for discussion and expectations of outcomes.
- A draft agenda will be developed before each meeting by the Secretariat in consultation with the Chair and Deputy Chair/s as appropriate. In developing the agenda, consideration will be given to any priorities directed by the Minister to the Council. The agenda should have clear objectives which will advance the Council's work program.
- The agenda and related papers are to be circulated to members no less than one week before the meeting.
- Members who cannot attend a meeting must send their apologies to the Chair, directly or via the Secretariat, explaining why they could not attend.
- Whenever possible, decisions are to be made by consensus. If consensus cannot be reached, decisions will be made by a majority vote of those members present and noted in the minutes.
- Where necessary, the Chair [or presiding Co-Chair], will use a casting vote to break a deadlock.
- A member who abstains from voting, or dissents from the majority ruling, can request to have their action/opinion recorded in the minutes of the meeting.
- Diversity of opinion on issues will be reflected in the advice provided to the Minister.
- At each meeting, Council members are to provide brief reports on consultations they have attended or held and any significant issues arising.
- Following each meeting, minutes of the meeting and/or a report from the Chair are to be provided to the Minister for Multicultural Affairs highlighting significant achievements arising from meetings.

### Quorum

- For decisions to be made at meetings there is to be a quorum of no less than half the total current number of members plus one (including online attendees). This is required for agreement on significant actions.
- Decisions made at the meeting must be recorded in writing.

### Sub-committees and working groups

- Sub-committees and working groups can be established to progress the work of the Council between council meetings in key priority areas under the guidance and approval of the full Council; or to work on specific projects e.g. planning a consultation.

- Non-members who are subject matter experts may be invited to participate in an advisory role. However, all sub committees and working groups will be led by a current member of the Council.

## Consultations

- Council members are expected to undertake regular consultation with their community networks to inform Council business. This may be done at routine meetings of community organisations, or through specially scheduled meetings, and should be reported to Council.
- The Council, as a body, is expected to undertake at least one community consultation each year, with Secretariat support, and in partnership with the Minister.

## Official business and representation

- Members will be deemed to be on official Council business when:
  - attending meetings of the Council, events and meeting with ACT Government representatives and such another business as may reasonably be required in discharging the Council's Terms of Reference
  - representing the Council at meetings, forums, events and on committees at the request of Council or as a representative of the Minister, and
  - attending to the operation of the Council.
- Reasonable costs incurred by members during such activities will normally be met by the per diem payments but can be considered on a case-by-case basis.
- Member(s) on official business outside of meetings are expected to reflect the existing policy position of the Council and shall report on the matter to the Council at the meeting following the event or by a report sent to the Council.
- The primary role of Council members is to provide policy advice to their Minister.
- Members may represent the position of the Council in the public domain, provided members clarify they are representing Council positions and not Government policy positions.
- Formal speeches and papers to be delivered by a member on behalf of the Council or the Minister; submissions to inquiries, committees and consultations; and other significant correspondence will be cleared through the Chair prior to their presentation or submission and a copy made available to the Secretariat.
- All contact with the media on behalf of the Council should only be by the Chair or following explicit delegation from the Chair.
- Any information to be released to the media on behalf of the Council needs to be cleared through the Chair, and the Minister.
- If using social media in a private capacity, members must follow ACT Government social media guidelines regarding comment on government matters, including not giving the impression that they represent the views of the Council or the ACT Government, and being mindful of the confidentiality of Council papers and discussion.
- Council currently operates a website and material for the website is to be coordinated by the Council website coordinator and cleared with the Chair in line with the policy agreed by the Council.

## Business between meetings

- The Chair may write and sign letters and conduct business between meetings on behalf of the Council, and the Secretariat should be provided with copies of all correspondence. The Chair may delegate these operations to the Deputy Chair/s (or other members) as needed. All submissions and significant correspondence (for example, a response to a statutory body) should be cleared through the Chair and the Minister (with the exception of correspondence to the Minister).
- Members are expected to advise the Secretariat when they have completed agreed actions arising from previous meetings.

## Out of session matters

The Council may deal with matters out-of-session, usually where feedback is sought from Council members, rather than a Council decision.

- Where an urgent response is required from Council members between meetings, the Chair must endeavour to alert members to the relevant business via email, text message or other appropriate means, providing a clear timeframe for response.
- Extraordinary meetings may be required to progress urgent and significant issues e.g. to more fully discuss a key Council submission to the ACT or Australian Government.
- Where a matter requiring resolution is to be dealt with out of session, agreement by two thirds of Council members is required for assent.

## Support persons

- People with disability may seek the Chair's agreement to have a support person attend meetings with them (to assist with physical needs or to advise members with intellectual disability).
- Other members may also seek the Chair's permission to have a support person attend meetings with them to advise them on Council's processes, or to function as their interpreter.
- These support persons will not directly contribute to Council discussions or have voting rights.

## Advisers

- The Minister's Adviser will ordinarily have a standing invitation to general meetings as a guest, with their primary role at the meetings being to clarify the Minister's position on issues and processes.
- Non-members who are subject matter experts may be invited to provide advice to inform the work of the Council.

## Standing invitations

- The Council may choose to extend a standing invitation to other persons/officers to assist in the operation of the Council e.g. the Manager of the relevant ACT Government policy unit. These persons will ordinarily only contribute to Council discussions when invited to do so.

## Invited speakers

- The Council may invite guest speakers or advisers to specific meetings to assist it in better understanding specific issues within its remit e.g. Government officers explaining a relevant policy or program, or an academic explaining relevant current research findings.

## Secretariat

- A Secretariat will be assigned to the Council by the relevant ACT Government unit (Community Services Directorate) and will be responsible for:
  - developing agendas (for Council meetings and other business involving the Directorate and members of the Council) in consultation with the Chair and Deputy Chair
  - assisting Council members to prepare agenda papers and submit business to the Council
  - distributing the agenda and meeting papers in appropriate formats
  - arranging venues and refreshments for meetings within budget
  - taking minutes clearing them with the Chair, revising as needed, producing them in the required format and distributing them to members, normally within two weeks of a Council meeting
  - monitoring action items arising from Council business and assisting in their implementation, including liaising between the Council and Government agencies
  - developing a summary of key issues and actions after each meeting in consultation with the Chair and making them publicly available at on the Council's website
  - supporting members to complete paperwork for remuneration, ensuring information is verified (for example, meetings attended) and submitted to the Secretariat
  - arranging remuneration for Cabinet endorsed members
  - support the delivery of the Council's workplan.

## Code of conduct

The ACTPS upholds the universally agreed global principles as advocated by the United Nations Convention against Corruption (UNCAC) including through the comprehensive [ACTPS Integrity Framework](#) and [ACTPS Code of Conduct](#).

The ACTPS Integrity Framework outlines how ACTPS employees are obliged to report suspected corruption to avenues such as the Public Sector Standards Commissioner or the ACT Integrity Commission.

Members of the Ministerial Advisory Council for Multiculturalism must familiarise themselves with the Framework.

Section 9 of the [Public Sector Management Act 1994](#) details the requirements of a public employee (which includes all appointees and members of an ACT Government board or committee) in performing their duties and is known as the Code of Conduct.

A copy of the Code of Conduct should be provided to all remunerated and nonremunerated appointments on commencement and prior to signing a declaration of private interests.

The ACT Government Code of Conduct for Appointees outlines the standards of behaviour and ethical conduct expected of all people serving official appointments. All appointees are required to declare (in writing) that they will abide by this code before they are appointed.

Council members are expected to follow Section 9 of [Public Sector Management Act 1994](#) on public sector conduct and adopt the Values and Signature Behaviours of the ACT Public Service in their work:

1. We value **respect** by taking pride in our work; valuing the contribution of others; and relating to colleagues and clients in a fair, decent and professional manner.
2. We demonstrate **integrity** by doing what we say we will do; responding appropriately when the unexpected occurs; taking responsibility for, being accountable for, our decisions and actions; our genuine engagement with the community; and managing the resources entrusted to us honestly and responsibly.
3. We demonstrate **collaboration** by working openly and sharing information to reach shared goals; taking on board other views when solving problems; and welcoming feedback on how we can do things better.
4. We demonstrate **innovation** by looking for ways to continuously improve our services and skills; and being open to change and new ideas from all sources.

In addition to the above, the following issues are also vital to the operation of the Council.

### Active participation

- Members are expected to attend all general meetings, read agenda papers, and periodically contribute to agenda papers.
- Members will also actively contribute to discussions, including questioning, with due diligence and in good faith, and in the best interests of the community.
- Members are also expected to actively seek community feedback and advice in the normal course of their community engagement; and to occasionally attend, and contribute to, formal Council consultation forums.

### Confidentiality

- All Council papers must be considered as confidential unless indicated otherwise, or where the papers are already in the public domain. The Council may choose to publicly release certain documents with agreement of the Minister and in line with the requirements of the [Freedom of Information Act 2016](#).
- Members may occasionally also be provided with other confidential material, which they should not disclose to anyone outside the Council and should treat with the utmost care and discretion.
- Discussion within Council meetings must also be treated as confidential.
- Members will be required to sign confidentiality agreements.

### Open access information scheme (OAIS)

- From 1 January 2018, the [Freedom of Information Act 2016](#) (the FOI Act) came into effect. Under the FOI Act the Community Services Directorate (CSD) is required to publish reports and recommendations prepared by the Council.

- To ensure full compliance by CSD under the FOI Act, the Council reports and recommendations must be provided to CSD (via the Secretariat) no later than 30 days after the document is approved by the Chair.
- The Secretariat will assess the document and apply a public interest test, which will examine the information in a document and identify factors for either public disclosure or non-disclosure.
- The assessment and document will be approved by the relevant CSD Divisional Information Officer, being a staff member at Executive level or above.
- Where information in a document is approved for public release, it will be uploaded to the ACT Government OAI portal.
- Where a Chair or member has specific public interest concerns about a report or recommendation, these need to be provided in writing by the Chair to the Secretariat at the same time as the relevant report or recommendation is provided.

## Conflict of interest

- Conflict of interest is defined as any instance where a Council member has a personal, financial or other interest in matters under consideration, or proposed for consideration, by the Council. For example, a member might have a financial interest for themselves, family or friends in advice to government about specific service funding.
- A member must disclose to the Chair any situation that may give rise to a personal conflict of interest, a potential conflict of interest, or a potential perceived conflict of interest. The Chair will make the determination whether there are adequate grounds for excluding a member from any discussion or decision making regarding a specific issue.
- Where the Chair has the personal conflict, or the potential or perceived conflict, the Deputy Chair will lead the discussion and make the appropriate determination.
- In a situation where a Public Servant is a Council member, this should not in any way constrict the independence of the advice provided by the Council. Issues such as whether the duties of the Public Servant extend to reporting back to the Minister (or communicating with the Council on behalf of the Minister) should be made explicit from the outset by the Chair and preferably in writing.
- Conflicts of interest which are sufficient to justify the termination of a member's appointment must be approved by the Minister. In such a situation, the Chair has the power to suspend the person's membership until the Minister's agreement is obtained.
- Council members are expected to observe the highest standards of ethical conduct, including honesty, courtesy, fairness and conflict of interest, as outlined in:
  - The [Governance Principles – Appointments, Boards and Committees in the ACT](#) (April 2021) handbook, available from the Chief Minister and Cabinet Directorate.
  - The [ACT Public Service Code of Conduct](#) (December 2013).

## Disciplinary action

- A Council member will face disciplinary action if they breach the Code of Conduct.
- A member may breach the Code of Conduct by:
  - disregarding the guidelines of the Code of Conduct



- conduct which causes imminent and serious risk to the health or safety of a person, or to the reputation or viability of the Directorate’s business
- theft or fraud
- being intoxicated while on Council business, or
- other deliberate behaviour which is inconsistent with the continuation of their Council membership.
- If the member has engaged in misconduct, this may be investigated. The member must be informed and provided with a reasonable opportunity to respond to the matter.
- If findings of the investigation are adverse, the Minister may end appointment of a Council member under Section 12 of the *Multiculturalism Act 2023* -
  - (a) for misbehaviour; or
  - (b) if the Minister is satisfied that the member is, or is likely to be, unable to effectively exercise the member’s functions; or
  - (c) if the member is absent, other than on leave approved by the Minister, from 2 consecutive meetings of the council.
- Section 9 of [Public Sector Management Act 1994](#) will guide the processes to be followed during any disciplinary investigation and action.

## Remuneration

Per diems are paid in recognition of the work undertaken by members of the Council to fulfil its role.

### ACT Public Servants

As detailed in the [Governance Principles – Appointments, Boards, and Committees in the ACT](#), where an ACT public servant serves on a board or committee as part of their government employment, sitting fees are not payable.

The ACT Remuneration Tribunal’s current Determination also states public servants who serve as a Part-time Public Office Holder are not entitled to receive remuneration, allowances or entitlements unless in exceptional circumstances.

Where ACT public servants serve as a community member on a board or committee, it may be possible, in exceptional circumstances, for fees or reimbursement of costs to be paid.

### Non - ACT Public Servants

Council members will be paid per diem (which in effect means per general Council meeting) at a rate determined by the current ACT Remuneration Tribunal Determination for Part-time Public Office Holders. It includes recognition of the member’s out-of-session contributions.

Per diem claims for additional meetings on Council business will only be considered where these meetings have been at the request, or agreement, of the Chair, and will ordinarily be limited to three per year. This

payment will ordinarily be restricted to occasions where a member attends general meetings and includes recognition of the member's out of-session contributions.

The remuneration of members for additional payments or expenses will be considered on a case-by-case basis and needs to be discussed and agreed with the Chair before the expense is incurred. Payments should not ordinarily exceed 12 per year.

Payments are coordinated by the Secretariat.

## Review and assessment of the Council

- The Minister must approve these Terms of Reference as part of the Council's recruitment process, and they reserve the right to amend them at any time.
- The Minister may direct an independent evaluation be undertaken regarding the Council's performance, which may include a review of the Terms of Reference.

## Suspension or cessation of Council

- The Minister to whom the Council reports reserves the right to suspend the work of the Council or to dissolve the Council at any time by notice in writing to members.
- The Minister may also direct that aspects of the work of the Council should be continued through another forum, including through another advisory council forum.