

DA	FOOD ACT 2008 – APPOINTMENT OF AUTHORISED PERSONS & DESIGNATED OFFICERS	
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DIRECTORATE:	Planning & Development
BUSINESS UNIT:	Health Services
SERVICE UNIT:	Health Services
RESPONSIBLE OFFICER:	Chief Executive Officer
FILE NO.:	086/003
DATE FIRST ADOPTED:	12 December 2013
DATE LAST REVIEWED:	10 September 2020
ATTACHMENTS:	N/A
VERSION NO.	7

Dates of Amendments / Reviews:		
DAPPS Meeting:	28 November 2013	18 May 2017
	22 May 2014	24 May 2018
	2 June 2015	24 May 2019
	26 May 2016	27 August 2020
OCM:	12 June 2014	8 June 2017
	11 June 2015	14 June 2018
	9 June 2016	13 June 2019

FUNCTION DELEGATED:

- (1) Appoint a person to be an authorised person for the purposes of the *Food Act 2008 [s122(1)]*.
- (2) Appoint a person to be a Designated Officer for the purposes of the *Food Act 2008. [126(13)]*.

CONDITIONS/GUIDELINES:

- (1) Delegates shall only act in accord with the delegated statute, inclusive of all relevant statutory limitations and powers.
- (2) All transactions utilising this delegation are to be recorded by the officer responsible for initiating the action taken, or by another officer under the direction of the initiating officer.

AUTONOMY OF DISCRETION:

Power from the Food Act 2008 is originally assigned to the Enforcement Agency (Local Government)

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LEGISLATIVE REQUIREMENTS/COUNCIL POLICY:

Food Act 2008, s122 Appointment of Authorised Officers, and s126 Infringement Notices

Statutory Power of Delegation Food Act 2008, s118(2)(b) Local government (enforcement agency) may delegate a function conferred on it

s118 (3) Delegation subject to conditions [s119] and guidelines adopted [s120]

s118(4) Sub-delegation only permissible if expressly provided in regulations

DELEGATE:

Chief Executive Officer

SUB-DELEGATE/S:

Nil (The Food Regulations 2009 does not provide for sub-delegations).