

DA	<b>FOOD ACT 2008 – APPOINTMENT OF AUTHORISED PERSONS &amp; DESIGNATED OFFICERS</b>	OLPD32
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<b>DELEGATED AUTHORITY CODE:</b>	OLPD32
<b>DIRECTORATE:</b>	Planning & Development
<b>BUSINESS UNIT:</b>	Health Services
<b>SERVICE UNIT:</b>	Health Services
<b>RESPONSIBLE OFFICER:</b>	Chief Executive Officer
<b>FILE NO.:</b>	086/003
<b>DATE FIRST ADOPTED:</b>	12 December 2013
<b>DATE LAST REVIEWED:</b>	8 June 2017
<b>ATTACHMENTS:</b>	N/A
<b>VERSION NO.</b>	4

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	28 November 2013 22 May 2014 2 June 2015	26 May 2016 18 May 2017
OCM:	12 June 2014 11 June 2015	9 June 2016

**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 in the Recording of Delegations Decisions Register 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).