

Appointment of Deputies under the Health (Miscellaneous Provisions) Act 1911

Appointing Body: Council Process Owner: Chief Executive Officer		Statutory Appointment: Health-01 Last Reviewed: 16 June 2020
Statutory power to appoint and authorise	<i>Health (Miscellaneous Provisions) Act 1911</i> Section 26 Powers of local governments A local government may appoint and authorise any person to be its deputy, and in that capacity to exercise and discharge all or any of the powers and functions of the local government granted or imposed under <i>Health (Miscellaneous Provisions) Act 1911</i> and the regulations, local laws and orders made thereunder.	
Persons appointed as deputies	Chief Executive Officer Coordinator Environmental Health Services Senior Environmental Health Officer Director Corporate Services (s.353 - take possession of land) Director Technical Services (Part IV Sanitary provisions)	
Statutory powers and functions authorised to be exercised and discharged by deputies	<i>Health (Miscellaneous Provisions) Act 1911</i> Part II Administration Section 38 Report annually to the Chief Health Officer Part IV Sanitary provisions Part V Dwellings Part VI Public buildings Part VII Nuisances and offensive trades Part XV Miscellaneous provisions Section 353 Take possession of land where expenses are due and unpaid for 3 years Section 357 Suspend or cancel any licence or registration of persons convicted for any offence under the Act Section 358(1) Prosecution of offences Section 374 Appearance of local government in legal proceedings	
Conditions and limitations on appointment	The authority held by the deputies appointed above excludes the following powers reserved to Council: Part III Financial; Part XIV Regulations and local laws Section 342 - Make, repeal, amend or suspend local laws with the consent or at the direction of the Chief Health Officer. Section 344C Fix fees and charges	
Compliance references	<i>Health (Miscellaneous Provisions) Act 1911</i> Section 36 Review of orders and decisions by local governments by SAT Section 354 Service of notice Health (Asbestos) Regulations 1992 Health (Offensive Trades Fees) Regulations 1976 Health (Public Buildings) Regulations 1992 City of Melville Health Local Laws 1997	
Policy reference		
Recordkeeping	All records to be retained in ECM under appropriate subject index	

History	<p>Certain powers originally delegated by Council under:</p> <p>DA-065 – Corporate & Community Services Committee 6 February 2001 A01/6000</p> <p>DA-067, DA-069, DA-070 – Administration & Community Services Committee 5 November 1996 A96/1017</p> <p>DA-071 – Ordinary Meeting of Council 16 June 2009 C09/5070</p> <p>Delegations DA-065, DA-067, DA-069, DA-070, and DA-071, revoked and replaced by this appointment of deputies on 16 June 2020</p>		
Appointment Approved by Council	Ordinary Meeting of Council	16 June 2020	M20/5749