

INSTRUMENT OF DELEGATION

INSTRUMENT OF DELEGATION UNDER THE INDEPENDENT COMMISSION AGAINST CORRUPTION ACT 2012

14 NOVEMBER 2023

Delegation Sources

- Independent Commission Against Corruption Act 2012

Positions

Abbreviation	Position
CEO	Chief Executive Officer
DCCS	Director Corporate & Community Services
DIES	Director Infrastructure & Environmental Services

Instrument of Delegation under the Independent Commission Against Corruption Act 2012

Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 18E(3)(b)	Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the written notice so requires, verify the statement by statutory declaration	CEO, DCCS, DIES		public authority
section 18B(4)(a)	Report to the Office for Public Integrity in accordance with the directions issued under section 18B of the Independent Commissioner Against Corruption Act	CEO, DCCS, DIES		public authority
section 18B(4)(b)	Report to the Office for Public Integrity any matter the council reasonably suspects involves corruption in public administration	CEO, DCCS, DIES		public authority
section 18E(3)(a)	Produce a specified document or document relating to specified matter	CEO, DCCS, DIES		public authority

Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 18F(1)(b)	Act on a referral from the Office for Public Integrity	CEO, DCCS, DIES		public authority
section 28	Produce a written statement of information about a specified matter or answer specified questions within a specified period and in a specified form and, if the person heading the investigation requires, verify the statement by statutory declaration	CEO, DCCS, DIES		public authority
section 34(1)	Undertake a joint investigation with the Independent Commission Against Corruption	CEO, DCCS, DIES		public authority
section 34(3)	Provide comments to the Independent Commission Against Corruption with respect to the terms of a notice issued under section 34(1) of the Independent Commission Against Corruption Act	CEO, DCCS, DIES		public authority
section 36(1)(b)	Act on a referral from the Independent Commission Against Corruption	CEO, DCCS, DIES		public authority

Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 36(4)	Comply with direction or guidance given by the Independent Commission Against Corruption	CEO, DCCS, DIES		public authority
section 36(7)	Comply with varied or further direction or guidance issued by the Independent Commission Against Corruption	CEO, DCCS, DIES		public authority
section 36(8)	Provide comments to the Independent Commission Against Corruption	CEO, DCCS, DIES		public authority
section 39A	Ensure each person who was the subject of an investigation in relation to a matter referred to the Council by the Independent Commission Against Corruption is informed of a determination of the council not to further investigate or deal with the matter	CEO, DCCS, DIES		public authority
section 40(2)	Assist the Independent Commission Against Corruption in an evaluation of the practices, policies and procedures of the council	CEO, DCCS, DIES		public authority

Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 41(1)	Comply with recommendations of the Independent Commission Against Corruption	CEO, DCCS, DIES		public authority
section 41(4)	Provide comments to the Independent Commission Against Corruption	CEO, DCCS, DIES		public authority
section 44(1)	Assist public officers of the council to comply with requirements and directions issued under the Independent Commission Against Corruption Act	CEO, DCCS, DIES		public authority
section 56A(1)(b)	Receive and use evidence or information for the purposes of any criminal investigation or proceedings, proceedings for the imposition of a penalty and any disciplinary investigation or action	CEO, DCCS, DIES		public authority/ prosecution authority
Clause 9(6), Schedule 4	Act on a referral of the inspector	CEO, DCCS, DIES		public authority

Document history and version control

Date	Council/Chief Executive Officer	Comment
14/11/2023	Reviewed and adopted at 14 November 2023 Special Council meeting	