

## **Instrument of Delegation under the Fines Enforcement and Debt Recovery Act 2017**

### **Preamble**

### **Delegation Sources**

- Fines Enforcement and Debt Recovery Act 2017

### **Titles**

- Director Infrastructure & Environmental Services:- Tim Tol

## Instrument of Delegation under the Fines Enforcement and Debt Recovery Act 2017

Fines Enforcement and Debt Recovery Act 2017			
Provision	Item Delegated	Delegate	Conditions and Limitations
S9(2)	<p>1. Amounts Due Under Expiation Notices may be Treated as Part of Pecuniary Sum</p> <p>1.1 The power pursuant to Section 9(2) of the Fines Enforcement and Debt Recovery Act 2017 (the Act) if a debtor requests the making of an aggregation determination but no enforcement determination has been made under Section 22 of the Act in relation to the expiation amount, to pay the prescribed fee.</p>	Director Infrastructure & Environmental Services	
S20(4)	<p>2. Arrangements as to Manner and Time of Payment</p> <p>2.1 The power pursuant to Section 20(4) of the Act to agree with the Chief Recovery Officer the manner in which the Chief Recovery Officer is to give the Council notice of an arrangement entered into under Section 20 of the Act.</p>	Director Infrastructure & Environmental Services	
S20(18)	<p>2. Arrangements as to Manner and Time of Payment</p> <p>2.2 The power pursuant to Section 20(18) of the Act to agree with the Chief Recovery Officer the manner in which, if an arrangement terminates under Sections 20(15) or (17) of the Act, the chief Recovery Officer is to give the Council notice of the termination and the amount then outstanding (taking into account, where the arrangement required the performance of community service, the number of hours of community service to be performed).</p>	Director Infrastructure & Environmental Services	
S22(1)	<p>3. Enforcement Determination</p> <p>3.1 The power pursuant to Section 22(1) of the Act to enforce an expiation notice against the alleged offender by providing to the Chief Recovery Officer the particulars determined by the Chief Recovery officer relating to:</p> <ul style="list-style-type: none"> <li>(a) the alleged offender; and</li> <li>(b) the offence or offences that remain unexpiated; and</li> <li>(c) the amount due under the notice; and</li> <li>(d) compliance by the council with the requirements of the Act and any other Act.</li> </ul>	Director Infrastructure & Environmental Services	
S22(2)	<p>3. Enforcement Determination</p> <p>3.2 The power pursuant to Section 22(2) of the Act to pay the prescribed fee.</p>	Director Infrastructure & Environmental Services	

**Document history and version control**

<b>Date</b>	<b>Council/Chief Executive Officer</b>	<b>Comment</b>
26 May 2020	Annual review adopted at 26 May 2020 Ordinary Council meeting	