

Biosecurity Act 2014

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to prepare a biosecurity plan.	Section 53(1) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to consult with the Chief Executive about suitability and priority of the activities.	Section 59 <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to consult with chief executive about barrier fence map.	Section 91(3)(a) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to: (a) obtain the occupier's consent to the entry; and (b) to give the occupier notice of: (i) the intended entry; and (ii) the purpose of the entry; and (iii) the proposed dates and time of entry.	Section 94(2) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to be satisfied it is impracticable to give the notice under subsection (2)(b) and power to give notice as prescribed in subparagraph (3).	Section 94(3) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to consider it necessary to enter the land because of urgent circumstances and power to give the occupier only the notice that is reasonably practicable in the circumstances.	Section 94(5) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to enter into agreement with another person about making an opening in the fence for a particular purpose and period.	Section 95(1) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to form reasonable belief that a person has unlawfully damaged, or made an opening in the fence.	Section 96(1) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to give notice to the person, requiring the person to restore the fence to its condition before the damage or opened.	Section 96(2) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to appoint barrier fence employee .	Section 100(1) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to give directions to a barrier fence employee .	Section 101(2) <i>Biosecurity Act 2014</i>	25 August 2016	

Register of Delegations - Council to Chief Executive Officer

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to consult with chief executive.	Section 105(1) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to form agreement about a program authorisation.	Section 235(1)(c) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to consult with: (a) the chief executive; and (b) an invasive animal board – (i) with an operational area in or adjoining the local government's area; and (ii) responsible for the management of an invasive animal that is biosecurity matter to which the program applies.	Section 239(2) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to consult with an invasive animal board.	Section 239(3) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to appoint persons the following as authorised persons: (a) an employee of the local government; (b) if another local government consents—an employee of the other local government; (c) another person who has entered into a contract, or is employed by an entity that has entered into a contract, with the local government to perform a function under this Act.	Section 246(2) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to consent to an employee of the local government to be appointed as an authorised person.	Section 246(2)(b) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to appoint an authorised person.	Section 246(3) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to be satisfied a person is appropriately qualified.	Section 246(5) <i>Biosecurity Act 2014</i>	25 August 2016	

Register of Delegations - Council to Chief Executive Officer

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to enter a place to take steps as stated in an order.	Section 263(2) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to enter a place to take steps as required under a direction.	Section 264(2) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to make reasonable attempts to locate and obtain occupier's consent.	Section 271(2) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to enter a place if: (a) the person is unable to locate an occupier after making a reasonable attempt to do so; or (b) the occupier refuses to consent to the entry.	Section 271(3) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to make reasonable attempts to: (a) either- (i) if the person is an employee or agent of the issuing authority—produce the issuing authority's written authority to enter the place, and sufficient evidence to identify the person as a person who may enter under the authority, for the occupier's inspection; or (ii) if the person is an authorised officer—produce the authorised officer's identity card for the occupier's inspection; and (b) inform the occupier- (i) of the reason for entering the place; and (ii) that the person is authorised under this Act to enter the place without the permission of the occupier.	Section 271(4) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to leave notice in a conspicuous position and in a reasonably secure way stating the date, time and purpose of the entry.	Section 271(5) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	In the circumstances in subsection (1) and subject to subsection (2), power to decide a seized thing is forfeited.	Section 310(1) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to make reasonable enquires to find the owner of a thing seized.	Section 310(1)(a) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to make reasonable efforts to return a thing seized to the owner.	Section 310(1)(b) <i>Biosecurity Act 2014</i>	25 August 2016	

Register of Delegations - Council to Chief Executive Officer

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Chief Executive Officer	Power to: I. reasonably consider that, because of the thing's inherent nature or condition, the return of the thing is likely to result in a recurrence of the biosecurity risk in relation to which the thing was seized; or II. at the end of 6 months, reasonably believes that the return of the thing is likely to result in a recurrence of the biosecurity risk in relation to which the thing was seized.	Section 310(1)(c) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to form a reasonable belief that it is necessary to keep a thing to prevent it from being used to commit the offence for which it was seized.	Section 310(1)(d) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to give an information notice.	Section 312(2) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to deal with a thing as considered appropriate.	Section 317(2) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to return proceeds of the sale of a thing forfeited to the owner of the thing.	Section 317(4) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to issue an identity card.	Section 329(1) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to conduct an internal review and make a decision.	Section 365(1) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to give a notice of the decision to the applicant.	Section 366(1) <i>Biosecurity Act 2014</i>	25 August 2016	

Register of Delegations - Council to Chief Executive Officer

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to approve a biosecurity order.	Section 378(2) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to keep a register of all biosecurity orders of an authorised officer.	Section 379(1) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to be satisfied about the matters referred to in subsection (3) and power to remove an order.	Section 379(3) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to give notice of the amount of the debt.	Section 380(2) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to register a charge (for an unpaid amount) over the land.	Section 381(3) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to lodge a request to release the charge over the land.	Section 381(5)(a) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to lodge a signed certificate stating the unpaid amount has been paid.	Section 381(5)(b) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to apply for an injunction.	Section 386(1) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to undertake the functions of an auditor as set out in paragraphs (a) and (g).	Section 442 <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to within 14 days of completing an audit of a business give a report about the audit to the applicant and the chief executive.	Section 471(1) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to form an opinion that an applicant has or has not implemented procedures for the applicant's business that provide a way for preventing or managing exposure to all biosecurity risks relating to the biosecurity risk matter for the business.	Section 471(2)(e) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to form an opinion that an applicant does or does not have the capacity to comply with the requirements of the compliance agreement.	Section 471(2)(g) <i>Biosecurity Act 2014</i>	25 August 2016	

Register of Delegations - Council to Chief Executive Officer

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Chief Executive Officer	Power to within 14 days of completing a compliance, non-conformance or check audit of the business of the other party to a compliance agreement, give a report about the audit to the other party and the chief executive.	Section 472(1) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to form an opinion that a business complies or does not comply with a compliance agreement.	Section 472(2)(e) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to form an opinion whether an auditor needs to conduct a non-conformance audit of the business or that the frequency of compliant audits for the business should be changed.	Section 472(2)(h) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to within 14 days after completing an audit of the applicant's ICA systems, or proposed ICA systems, give a report about the audit to the applicant and the chief executive.	Section 473(1) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to form an opinion that each ICA or proposed ICA system satisfies the requirements of any operational procedure to which the system is directed.	Section 473(2)(e) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to within 14 days after completing a compliance, non-conformance or check audit of an accredited certifier's activities give a report about the audit to the accredited certifier and the chief executive.	Section 474(1) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to form an opinion whether each of the accredited certifier's ICA systems satisfy the requirements of any operational procedure to which the system is directed.	Section 474(2)(h)(i) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to form an opinion that an auditor needs to conduct a non-conformance audit of activities in relation to any noncompliance or that the frequency of compliance audits should change.	Section 474(2)(i) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to form a reasonable belief that: a) a person has contravened or is contravening the fact; and b) the contravention poses an imminent and series biosecurity risk.	Section 475(1) <i>Biosecurity Act 2014</i>	25 August 2016	

Register of Delegations - Council to Chief Executive Officer

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Chief Executive Officer	Power to give details of the facts and circumstances giving rise to the belief to the chief executive.	Section 475(2) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to give details to the chief executive as soon as practicable after forming the belief.	Section 475(3) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	If the auditor gives the chief executive orally, power to give the chief executive notice of the details.	Section 475(4) <i>Biosecurity Act 2014</i>	25 August 2016	
Chief Executive Officer	Power to be satisfied about matters set out in subsection (2).	Section 494(2) <i>Biosecurity Act 2014</i>	25 August 2016	