

Food Act 2006

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to consider the application and decide to grant, or refuse to grant, the application.	Section 55 <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to be satisfied that the specified criteria are fulfilled.	Section 56(1) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to obtain and consider the written advice of an auditor about whether or not the auditor considers the food safety program complies with section 98.	Section 56(2) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to have regard to the specified matters.	Section 57 <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In deciding whether premises are suitable for carrying on a licensable food business, the power to have regard to whether the premises comply with the food standards code, standard 3.2.3.	Section 58(a) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In deciding whether premises are suitable for carrying on a licensable food business, the power to obtain and consider the written advice of an authorised person about whether or not the authorised person considers the premises are suitable for carrying on the business.	Section 58(b) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to make inquiries to decide the suitability of: (i) the applicant to hold a licence; and (ii) the premises for carrying on a licensable food business.	Section 59(1)(a) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances power to give notice to the applicant requiring the applicant to provide the local government with further information or a document.	Section 59(1)(b) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	The power to give an applicant an information notice for the decision.	Section 60(2) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to consider more time is needed to make a decision about an application because of the complexity of matters that need to be considered in deciding the application.	Section 62(1) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to give notice to the applicant.	Section 62(2) <i>Food Act 2006</i>	21 August 2014	

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	In the specified circumstances, the power to agree with the applicant on the day by which the application must be decided.	Section 62(3) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to issue a provisional licence to the applicant.	Section 64 <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to decide a term of a licence other than a provisional licence of not more than 3 years.	Section 67 <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to decide a term of provisional licence of not more than 3 months.	Section 68(1) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to issue a notice to extend the term of licence.	Section 68(2) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to impose other reasonable conditions considered appropriate for the food business.	Section 69(1)(e) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to consider it necessary to impose a condition.	Section 69(2)(b) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to give an information notice for the decision.	Section 69(3) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to give the licensee notice of the imminent expiry of a licence.	Section 71 <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to consider the application and decide to renew, or refuse to renew, the licence.	Section 72(3) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to have regard to the specified matters.	Section 72(4) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to give an information notice to the licensee if the local government decides to refuse to renew the licence or impose conditions on the licence.	Section 72(5) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to consider the application and decide to restore, or refuse to restore, the licence.	Section 73(3) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to have regard to the specified matters.	Section 73(4) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to give a person an information notice for the decision if the local government decides to refuse to restore the licence, or impose conditions on the licence.	Section 73(5) <i>Food Act 2006</i>	21 August 2014	

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DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE AND NUMBER OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
Chief Executive Officer	Power to consider the application and decide to amend, or refuse to amend, the licence.	Section 74(3) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to amend a licence by changing the location of the premises from which the licensee proposes to carry on a licensable food business.	Section 74(4) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to be satisfied on reasonable grounds that the premises are suitable for carrying on a licensable food business.	Section 74(5) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to give a licensee a licence and an information notice for a decision if the local government decides to refuse to amend the licence.	Section 74(6) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to give the licensee an information notice for the decision if the local government decides to impose conditions on the licence.	Section 74(7) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances power to require the applicant to give the local government further information or a document.	Section 75(1) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to have regard to the specified matters regarding the suitability of a person to hold a licence.	Section 78(2) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to form a belief that a ground exists to suspend or cancel a licence.	Section 79(1)(a) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to give the licensee a show cause notice.	Section 79(2) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to consider all representations.	Section 80(2) <i>Food Act 2006</i>	21 August 2014	

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Chief Executive Officer	In the specified circumstances, the power to form a belief that a ground no longer exists to suspend or cancel a licence.	Section 81 <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to form a belief that a ground exists to suspend or cancel a licence.	Section 82(1)(b) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to suspend the licence for not longer than the proposed suspension period.	Section 82(2)(a) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to cancel the licence or suspend it for a period.	Section 82(2)(b) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to give an information notice to the licensee for the decision if the local government decides to take action under s82(2).	Section 82(3) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to suspend a licence immediately.	Section 83 <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to give an information notice to the licensee together with a show cause notice about the decision to suspend a licence.	Section 83(2) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to give the licensee a licence.	Section 83(4) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to consider that a licensee has done or omitted to do something, if done or omitted to be done in the first local government's area, would be a contravention of the conditions of the licence.	Section 91(1)(b) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to advise the first local government of the thing done or omitted to be done.	Section 91(2) <i>Food Act 2006</i>	21 August 2014	

Register of Delegations - Council to Chief Executive Officer

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Chief Executive Officer	In the specified circumstances, the power to take action in relation to the thing done or omitted to be done by the licensee.	Section 92(2) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to consider the application and decide to grant, or refuse to grant, the application.	Section 97(1) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to be satisfy the licence has been destroyed, lost or stolen, or damaged in a way to require its replacement.	Section 97(2) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to issue another licence to the applicant to replace the damage, destroyed, lost or stolen licence.	Section 97(3) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to give an information notice to the applicant for the decision if the local government decides to refuse to grant the application.	Section 97(5) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to consider the application and decide to accredit, or refuse to accredit, the food safety program.	Section 103(1) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to obtain and consider the written advice of an auditor about whether or not the auditor considers the food safety program complies with the criteria in section 104.	Section 103(2) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to be satisfied that the food safety program meets the specified criteria.	Section 104 <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to give notice to the applicant requiring the applicant to give further information or a document to a local government.	Section 105(1) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to give an applicant an information notice for a decision if the local government decides to refuse to accredit a food safety program.	Section 106(2) <i>Food Act 2006</i>	21 August 2014	

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Chief Executive Officer	Power to give an information notice to the applicant if the application is refused under section 107.	Section 107(4) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to consider more time is needed to make a decision.	Section 108(1) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to give notice to the applicant of the specified matters.	Section 108(2) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to agree with the applicant on a day by which the application must be decided.	Section 108(3) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	The power to give the holder of a food safety program an information notice for the decision.	Section 109(2) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to decide how often the holder of the program must have compliance audits of the program conducted under this Act.	Section 109(2)(a) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to have regard to the stated matters.	Section 109(3) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to change the frequency of compliance audits for a food safety program.	Section 110(1) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to have regard to the results of a compliance or nonconformance audit of the program.	Section 110(2) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	The power to give an information notice for the decision to the holder of a food safety program if the local government decides to change the frequency of compliance audits for the food safety program.	Section 110(3) <i>Food Act 2006</i>	21 August 2014	

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Chief Executive Officer	Power to give the holder of a food safety program a notice of change if the local government decides to change the frequency of compliance audits for the food safety program.	Section 110(4) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to consider the application and decide to approve, or refuse to approve, the amendment.	Section 112(4) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to be satisfied that the stated criteria are fulfilled.	Section 112(5) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to give an information notice to an applicant for a decision if the local government decides to refuse to approve an amendment.	Section 112(6) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances power to require the applicant to give the local government further information or a document.	Section 113(1) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to direct the holder of a food safety program to amend the program.	Section 114(1) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to give a notice to the holder of a food safety program for a direction under section 114(1).	Section 114(2) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to give an information notice with a notice of direction made under section 114(2).	Section 114(3)(c) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to be satisfied that the amendment complies with the direction under section 114.	Section 115(2) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to form a belief that a ground exists to cancel the accreditation of a food safety program and to give the holder of the program a show cause notice.	Section 118(1) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to consider all representations.	Section 119(2) <i>Food Act 2006</i>	21 August 2014	

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Chief Executive Officer	In the specified circumstances, the power to form a belief that a ground no longer exists to cancel the accreditation.	Section 120 <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to form a belief that: (i) a ground still exists to cancel the accreditation; and (ii) cancellation of the accreditation is warranted.	Section 121(1)(b) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to cancel the accreditation.	Section 121(2) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to give the holder of a food safety program an information notice for the decision if the local government decides to take action under section 121(2).	Section 121(3) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to appoint an employee of the local government as an authorised person.	Section 168(2) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to appoint an employee of, or another person under contract to, the local government as an authorised person.	Section 168(3) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to consider appropriate how a thing forfeited to the local government may be dealt with.	Section 193(6) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to form a belief on reasonable grounds that an injunction under the part is necessary.	Section 222(b) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to apply to the District Court for an injunction in relation to the conduct.	Section 223 <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to extend the time for applying for the review.	Section 238(2) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to give an applicant a notice of the review decision.	Section 239 <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	In the specified circumstances, the power to make a further decision after reviewing the original decision.	Section 239(1) <i>Food Act 2006</i>	21 August 2014	

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Chief Executive Officer	Power to apply to the Court for an order against a person for the payment of the costs, that the state or local government has incurred in taking a thing or doing something during the investigation of an offence.	Section 255(1)(b) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to consider appropriate the way in which the local government may deal with a thing that becomes local government's property.	Section 258(1) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to destroy or dispose of a thing.	Section 258(2) <i>Food Act 2006</i>	21 August 2014	
Chief Executive Officer	Power to approve forms for the use by the local government under this Act.	Section 277 <i>Food Act 2006</i>	21 August 2014	