



# Ordinary Council Meeting 24/11/20

Item 12.5 refers

## Attachment 4

**Statutory Appointment: Deputies  
under the Health  
(Miscellaneous Provisions) Act 1911**

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

<b>Appointing Body: COUNCIL</b>	<b>Statutory Appointment: Health -01 Last Reviewed: November 2020</b>
<b>Statutory power to appoint and authorise</b>	<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.
<b>Persons appointed as deputies</b>	<b>Chief Executive Officer Director Development and Communities Manager Safer Communities</b>
<b>Statutory powers and functions authorised to be exercised and discharged by deputies</b>	<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
<b>Conditions and Limitations on appointment</b>	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
<b>Compliance references</b>	<i>Health (Miscellaneous Provisions) Act 1911</i> Section 36 Review of orders and decisions by local governments by SAT Section 354 Service of notice <i>Health (Asbestos) Regulations 1992</i> <i>Health (Offensive Trades Fees) Regulations 1976</i> <i>Health (Public Buildings) Regulations 1992</i> City of Belmont Health Local Laws
<b>Policy Reference</b>	
<b>Record Keeping</b>	All records to be retained in ECM under appropriate subject index