

CLARE & GILBERT VALLEYS COUNCIL

INSTRUMENT OF DELEGATION

INDEPENDENT COMMISSION AGAINST CORRUPTION ACT 2012

23 JANUARY 2024

Delegation Sources

- Independent Commission Against Corruption Act 2012

Positions

Abbreviation	Position	Name
DCS	Director Corporate Services	Leanne Kunoth
DWI	Director Works & Infrastructure	Amy Neubauer
MD	Manager Development	Andrew Boyd Kench

Instrument of Delegation under the Independent Commission Against Corruption Act 2012

		Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Date of Delegation to CEO	Date of Sub Delegation	Sub 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	13 December 2023	14 December 2023	DCS, DWI, MD		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	13 December 2023	14 December 2023	DCS, DWI, MD		public authority
section 18B(4)(b)	Report to the Office for Public Integrity any matter the council reasonably suspects involves corruption in public administration	13 December 2023	14 December 2023	DCS, DWI, MD		public authority
section 18E(3)(a)	Produce a specified document or document relating to specified matter	13 December 2023	14 December 2023	DCS, DWI, MD		public authority

		Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Date of Delegation to CEO	Date of Sub Delegation	Sub Delegate	Conditions and Limitations	Capacity of Council
section 18F(1)(b)	Act on a referral from the Office for Public Integrity	13 December 2023	14 December 2023	DCS, DWI, MD		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	13 December 2023	14 December 2023	DCS, DWI, MD		public authority
section 34(1)	Undertake a joint investigation with the Independent Commission Against Corruption	13 December 2023	14 December 2023	DCS, DWI, MD		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	13 December 2023	14 December 2023	DCS, DWI, MD		public authority

		Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Date of Delegation to CEO	Date of Sub Delegation	Sub Delegate	Conditions and Limitations	Capacity of Council
section 36(1)(b)	Act on a referral from the Independent Commission Against Corruption	13 December 2023	14 December 2023	DCS, DWI, MD		public authority
section 36(4)	Comply with direction or guidance given by the Independent Commission Against Corruption	13 December 2023	14 December 2023	DCS, DWI, MD		public authority
section 36(7)	Comply with varied or further direction or guidance issued by the Independent Commission Against Corruption	13 December 2023	14 December 2023	DCS, DWI, MD		public authority
section 36(8)	Provide comments to the Independent Commission Against Corruption	13 December 2023	14 December 2023	DCS, DWI, MD		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	13 December 2023	14 December 2023	DCS, DWI, MD		public authority

		Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Date of Delegation to CEO	Date of Sub Delegation	Sub Delegate	Conditions and Limitations	Capacity of Council
section 40(2)	Assist the Independent Commission Against Corruption in an evaluation of the practices, policies and procedures of the council	13 December 2023	14 December 2023	DCS, DWI, MD		public authority
section 41(1)	Comply with recommendations of the Independent Commission Against Corruption	13 December 2023	14 December 2023	DCS, DWI, MD		public authority
section 41(4)	Provide comments to the Independent Commission Against Corruption	13 December 2023	14 December 2023	DCS, DWI, MD		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	13 December 2023	14 December 2023	DCS, DWI, MD		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	13 December 2023	14 December 2023	DCS, DWI, MD		public authority/ prosecution authority

		Independent Commission Against Corruption Act 2012				
Provision	Power and Functions Delegated	Date of Delegation to CEO	Date of Sub Delegation	Sub Delegate	Conditions and Limitations	Capacity of Council
Clause 9(6), Schedule 4	Act on a referral of the inspector	13 December 2023	14 December 2023	DCS, DWI, MD		public authority