

INSTRUMENT OF DELEGATION

OMBUDSMAN ACT 1972

26 MARCH 2024

Delegation Sources

- Ombudsman Act 1972

Positions

| Abbreviation | Position | Name |
|----------------------------------|----------------------------------|------|
| Not Delegated - Remains with CEO | Not Delegated - Remains with CEO | |

Instrument of Delegation under the Ombudsman Act 1972

| Provision | Power and Functions Delegated | Ombudsman Act 1972 | | | | |
|-------------------|---|---------------------------|------------------------|----------------------------------|----------------------------|---------------------|
| | | Date of Delegation to CEO | Date of Sub Delegation | Sub Delegate | Conditions and Limitations | Capacity of Council |
| section 12D(1) | Comply with directions and guidelines prepared by Ombudsman governing reporting or misconduct or maladministration in public administration | 13 December 2023 | 14 December 2023 | Not Delegated - Remains with CEO | | public authority |
| section 12D(3) | Report to the Ombudsman any matter the council reasonably suspects involves misconduct or maladministration in public administration | 13 December 2023 | 14 December 2023 | Not Delegated - Remains with CEO | | public authority |
| section 12H(1)(b) | Act on a referral from the Ombudsman | 13 December 2023 | 14 December 2023 | Not Delegated - Remains with CEO | | public authority |
| section 12H(2)(a) | Produce a specified document or a document relating to a specified matter | 13 December 2023 | 14 December 2023 | Not Delegated - | | public authority |

| | | Ombudsman Act 1972 | | | | |
|-------------------|---|---------------------------|------------------------|----------------------------------|----------------------------|---------------------|
| Provision | Power and Functions Delegated | Date of Delegation to CEO | Date of Sub Delegation | Sub Delegate | Conditions and Limitations | Capacity of Council |
| | | | | Remains with CEO | | |
| section 12H(2)(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 | Not Delegated - Remains with CEO | | public authority |
| section 18(4) | To comment on the subject matter of a report | 13 December 2023 | 14 December 2023 | Not Delegated - Remains with CEO | | public authority |
| section 19A(1) | Comply with a notice of the Ombudsman | 13 December 2023 | 14 December 2023 | Not Delegated - Remains with CEO | | agency |
| section 19A(5) | Advise the Ombudsman that the council's failure to comply with a notice is reasonable and justifiable | 13 December 2023 | 14 December 2023 | Not Delegated - Remains with CEO | | agency |

| Provision | Power and Functions Delegated | Ombudsman Act 1972 | | | | |
|----------------|---|---------------------------|------------------------|----------------------------------|----------------------------|---------------------|
| | | Date of Delegation to CEO | Date of Sub Delegation | Sub Delegate | Conditions and Limitations | Capacity of Council |
| section 25(2) | Act in accordance with a recommendation of the Ombudsman | 13 December 2023 | 14 December 2023 | Not Delegated - Remains with CEO | | public authority |
| section 28 | Apply to the Supreme Court for a determination regarding the Ombudsman's jurisdiction | 13 December 2023 | 14 December 2023 | Not Delegated - Remains with CEO | | agency |
| section 28A(1) | Comply with directions of the Ombudsman | 13 December 2023 | 14 December 2023 | Not Delegated - Remains with CEO | | public authority |
| section 28A(2) | Comply with varied or further directions of the Ombudsman | 13 December 2023 | 14 December 2023 | Not Delegated - Remains with CEO | | public authority |

| | | Ombudsman Act 1972 | | | | |
|------------------|--|---------------------------|------------------------|----------------------------------|----------------------------|-------------------------------|
| Provision | Power and Functions Delegated | Date of Delegation to CEO | Date of Sub Delegation | Sub Delegate | Conditions and Limitations | Capacity of Council |
| section 28A(3) | Provide comments to the Ombudsman | 13 December 2023 | 14 December 2023 | Not Delegated - Remains with CEO | | public authority |
| section 29(8) | Act on a referral of the inspector | | | Not Delegated - Remains with CEO | | public authority |
| section 31(1)(b) | Receive and use evidence or information for the purposes of any criminal investigation or proceedings, proceedings for the imposition of a penalty or disciplinary investigation or action | | | Not Delegated - Remains with CEO | | Agency/ prosecution authority |