

Subject **DELEGATIONS OF AUTHORITY TO COMMITTEES OF COUNCIL**

Description: This document describes Council’s requirements when dealing with the issue of Committees of Council carrying out activities which may ultimately result in Council being responsible for unbudgeted expenditure

Objective: The objective of this policy is to ensure that Committees of Council operate within the guidelines set by Council

PART 1 - POLICY

1. Council will detail its delegations to Committees in the Part E of the Delegation of Authority Register for the Management Committees and Part F for the Advisory Committees.
 2. Council will structure its Delegations of Authority to its Advisory Committees set out in the Part D of the Delegation of authority Register to indicate that the purpose of these committees is to provide advice and to make it clear that Council has not authorised any of these Committees to incur expenditure on behalf of Council.
 3. All Section 355 Committees, except for the following Management Committees, are Advisory Committees:
Australia Day; Bundarra Tourism, Development, School of Arts and Caravan Park Management Committee; Saumarez Ponds Recreation Reserve and Thunderbolt Festival Management Committee.
 4. The aforementioned Management Committees which Council has established under Section 355 of the Act have authority to incur expenditure on behalf of Council for the purposes of the Committee and within the budgets approved by Council.
 5. Advisory Committees advise Council or staff who are authorised to act on that advice
 6. The Chairperson of all Committees is responsible for the correct operation and functioning of the activities of the Committee and any sub-committees of that Committee.
 7. Council requires that all meetings of the Committees or sub-committees be minuted so that all recommendations taken by the Committee or the sub-committees are then reported to the Committee and then to Council.
 8. Council requires that all arrangements made by Committees with third parties are confirmed in writing.
 9. Council requires all Committee stationery to indicate that the Committee is a Section 355 Committee of Council and indicate the ABN 55 868 272 018
 10. Council requires all Management Committees to submit their financial records to Council for inclusion in Council’s consolidated statements.
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11. Council will consider using the sanction of withdrawing delegated authority from those Committees, if a Committee of Council does not comply with these requirements of Council
12. Council may, by resolution, remove the delegation from any Committee or Delegate as deemed necessary.

PART 2 - EXEMPTIONS

Nil

PART 3 - CRITERIA

The following criteria were considered by Council before adopting this policy:

1. That the Chairperson is not to be held personally responsible for individual activities or behaviour of Committee members.
2. There needs to be an appropriate audit trail to cover all arrangements made by Committees of Council with third parties.
3. It needs to be understood that Committees of Council are established by Council to provide advice on some of Council's service functions (Advisory Committees) or to provide functions or services on behalf of Council (Management Committees) (*see Section 355 of the Act*). Since the Committees are delegated authority by Council, they are effectively acting for Council and, therefore, Council is ultimately responsible for the actions of its committees. It is therefore reasonable for Council to require its Committees to operate within guidelines set by the Council.

PART 4 - OTHER MATTERS

Nil

Review: This policy is to be reviewed as necessary or every four years in accordance with Section 165, Local Government Act, 1993.

Resolution No: 9/99; Reviewed August 2000: 364/00; 25 October 2004: 438/04; Revised March 05: 94/05; Revised September 09; Reviewed and Revised February 2011 (45/11); Adopted without Change August 2013 (249/13).
