

INSTRUMENT OF DELEGATION

INSTRUMENT OF DELEGATION UNDER THE DOG AND CAT MANAGEMENT ACT 1995

29 NOVEMBER 2023

Delegation Sources

- Dog and Cat Management Act 1995

Positions

Abbreviation	Position	Name
CEO	Chief Executive Officer	Kelly Westell
CSO	Community Safety Officer	Garry Harris
MDRS	Manager Development & Regulatory Services	Gabby Swearse
MF	Manager Finance	David Rattley
MIO	Manager Infrastructure & Operations	
Not Sub Delegated	Not Sub-Delegated	

Instrument of Delegation under the Dog and Cat Management Act 1995

Dog and Cat Management Act 1995				
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 25A(1)	Appoint authorised persons	CEO, MIO		council
section 25A(2)	Impose conditions on appointment of an authorised person	CEO, MIO		council
section 25A(3)	Revoke appointment or revoke or vary conditions of an authorised person	CEO, MIO		council
section 25B(1)	Issue identity card to an authorised person	CEO, MIO		council
section 25C(c)	Enter into an arrangement with another council in relation to the exercise of authorised officer powers	CEO, MIO		council
section 26(1)(a)	Maintain a register of dogs	CEO, MDRS, CSO, MIO		council

Dog and Cat Management Act 1995

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 26(1)(ab)	Provide information to the Dog and Cat Management Board	CEO, MDRS, MIO		council
section 26(1)(ac)	Maintain other registers	CEO, MDRS, MIO		council
section 26(1)(ad)	Make registers publicly available	CEO, MDRS, MIO		council
section 26(1)(ae)	Limit inspection of register	CEO, MDRS, MIO		council
section 26(1)(b)	Appoint a Registrar	CEO, MDRS, MIO		council
section 26(1)(c)	Make arrangements for the issue and replace certificates of registration and registration discs	CEO, MDRS, MIO		council

Dog and Cat Management Act 1995

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 26(1)(d)	Make arrangements for the exercise of functions and powers of an authorised person	CEO, MDRS, MIO		council
section 26(1)(e)	Make arrangements for the detention of dogs and cats	CEO, MDRS, MIO		council
section 26(1)(f)	Make arrangements for fulfilling other obligations under the Dog and Cat Management Act	CEO, MDRS, MIO		council
section 26(3)	Expend money in the administration or enforcement of the Dog and Cat Management Act	CEO, MDRS, MIO		council
section 26(4)	Keep separate account of moneys received and expended under the Dog and Cat Management Act	CEO, MDRS, MF, MIO		council
section 26(5)	Pay moneys into the Dog and Cat Management Fund	CEO, MDRS, MF, MIO		council

Dog and Cat Management Act 1995

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 26(6)(a)	Charge fees for the provision of register extracts	CEO, MDRS, CSO, MF, MIO		council
section 26(6)(ab)	Charge fees for receipt and management of information	CEO, MDRS, CSO, MF, MIO		council
section 26(b)(i)	Charge fees for registration of dogs or businesses	CEO, MDRS, CSO, MF, MIO		council
section 26(b)(ii)	Charge fees for late payment of registration	CEO, MDRS, CSO, MF, MIO		council
section 26(b)(iii)	Charge fees for meeting requirements under the Dog and Cat Management Act	CEO, MDRS, CSO, MF, MIO		council
section 26(7)	Provide a percentage rebate as provided for by the Dog and Cat Management Act	CEO, MDRS, CSO, MIO		council

Dog and Cat Management Act 1995

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 26A(1)	Prepare a dog and cat management plan	CEO, MDRS, MIO		council
section 26A(3)	Present dog and cat management plan to Dog and Cat Management Board	CEO, MDRS, MIO		council
section 26A(5)	Amend dog and cat management plan	CEO, MDRS, MIO		council
section 33(4)(c)	Approve boarding kennel	CEO, MDRS, MIO		council
section 39	Rectify the register	CEO, MDRS, MIO		council
section 41(1)(c)	Fix fee for application under Part 4, Dog and Cat Management Act	CEO, Not Sub Delegated		council

Dog and Cat Management Act 1995

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 47(5)	Recover cost of giving effect to order if an order has been contravened and authorised person takes steps to effect the order	CEO, MDRS, MIO		council
section 50(1)(a)	Make a Destruction Order	CEO, MDRS, MIO		council
section 50(1)(b)	Make a Control (Dangerous Dog) Order	CEO, MDRS, MIO		council
section 50(1)(c)	Make a Control (Menacing Dog) Order	CEO, MDRS, MIO		council
section 50(1)(d)	Make a Control (Nuisance Dog) Order	CEO, MDRS, MIO		council
section 50(1)(e)	Make a Control (Barking Dog) Order	CEO, MDRS, MIO		council

Dog and Cat Management Act 1995

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 50(2)(b)	Approve a place to detain dogs	CEO, MDRS, MIO		council
section 52(a1)	Determine manner and form of application for the council to make an order under Division 3, Part 5, Dog and Cat Management Act	CEO, MDRS, MIO		council
section 52(1)(a)	Ascertain owners or persons responsible for a dog	CEO, MDRS, MIO		council
section 52(1)(b)	Provide notice of proposed order to each owner or person responsible for a dog	CEO, MDRS, MIO		council
section 52(2)(b)	Note order in register	CEO, MDRS, MIO		council
section 52(3)	Provide notice of order to each owner or person responsible for a dog	CEO, MDRS, MIO		council

Dog and Cat Management Act 1995

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 52(4)	Revoke order	CEO, MDRS, MIO		council
section 52(5)	Note revocation of order in register	CEO, MDRS, MIO		council
section 52(6)	Note order made by Dog and Cat Management Board in register	CEO, MDRS, MIO		council
section 53(1)	Issue directions to each owner or person responsible for a dog regarding complying with order	CEO, MDRS, MIO		council
section 56(1)	Receive prescribed information from an owner or person responsible for a dog subject to an order	CEO, MDRS, MIO		council
section 56(2)	Receive information from an owner or person responsible for a dog subject to an order regarding moving the dog into or out of the council area	CEO, MDRS, MIO		council

Dog and Cat Management Act 1995

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 59A(1)	Make a Prohibition Order	CEO, MDRS, MIO		council
section 59A(2)	Approve place to detain dog	CEO, MDRS, MIO		council
section 59A(5)(b)	Record a Prohibition Order	CEO, MDRS, MIO		council
section 59A(6)	Revoke a Prohibition Order	CEO, MDRS, MIO		council
section 59A(7)	Note revocation of a Prohibition Order in register	CEO, MDRS, MIO		council
section 59A(8)(c)	Note order made by Dog and Cat Management Board in register	CEO, MDRS, MIO		council

Dog and Cat Management Act 1995

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 61(4)	Consider making an order if a dog is seized in order to prevent it attacking, harassing or chasing a person, animal or bird or because it is unduly dangerous	CEO, MDRS, MIO		council
section 61(4)	Consider applying to Magistrates Court for an order if a dog is seized in order to prevent it attacking, harassing or chasing a person, animal or bird or because it is unduly dangerous	CEO, MDRS, MIO		council
section 61(6)	Recover cost of microchipping or desexing dog	CEO, MDRS, MIO		council
section 64(2)(c)	Nominate facility for the detention of cats	CEO, MDRS, CSO, MIO		council
section 64B(1)	Cause a detained dog or cat to be microchipped or desexed	CEO, MDRS, CSO, MIO		council
section 64B(2)	Recover cost of microchipping or desexing a dog or cat	CEO, MDRS, CSO, MIO		council

Dog and Cat Management Act 1995

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations	Capacity of Council
section 64D(1)(b)(ii)	Receive notice of destruction, injury, seizure or detention of dog or identified cat	CEO, MDRS, MIO		council
section 72	Responding to South Australian Civil and Administrative Tribunal review of council decision	CEO, MDRS, MIO		council
section 88A(4)	Receive a statutory declaration from the owner of a vehicle who has received an expiation notice or an expiation reminder given under the Expiration of Offences Act 1996	CEO, MDRS, MIO		council
section 89	Lay a complaint regarding offence under Dog and Cat Management Act	CEO, MDRS, MIO		council