

PORT PIRIE REGIONAL COUNCIL

FOOD ACT 2001 & FOOD REGULATIONS 2017

05 FEBRUARY 2024

Delegation Sources

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Note - Exported provisions are sorted by Delegation Source and Section.

- Food Act 2001

Positions

Abbreviation	Position
Director Development & Regulation	Director Development & Regulation
Environmental Health Officer	Environmental Health Officer

- Food Regulations 2017

Positions

Abbreviation	Position
Director Development & Regulation	Director Development & Regulation

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
447060	A	Food Act 2001	section 29	Elect to charge a person with a summary offence	Director Development & Regulation, Environmental Health Officer		council
447061	A	Food Act 2001	section 42(2)	Approve the removal or interference with a thing to which a seizure order relates	Director Development & Regulation, Environmental Health Officer		enforcement agency
447062	A	Food Act 2001	section 42(3)(a)(i)	Authorise the release of a thing seized under a seizure order	Director Development & Regulation, Environmental Health Officer		enforcement agency
447063	A	Food Act 2001	section 42(3)(a)(ii)	Order that food or any other perishable thing be forfeited to the enforcement agency	Director Development & Regulation, Environmental Health Officer		enforcement agency

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
447064	A	Food Act 2001	section 42(3)(a)(ii)	Receive food or any other perishable thing being forfeited to the enforcement agency by order of the enforcement agency	Director Development & Regulation, Environmental Health Officer		enforcement agency
447065	A	Food Act 2001	section 42(3)(b)(i)	Receive food or any other perishable thing being forfeited to the enforcement agency by court order	Director Development & Regulation, Environmental Health Officer		enforcement agency
447066	A	Food Act 2001	section 42(3)(d)	Deal with food or any other perishable thing in accordance with a determination of the Minister	Director Development & Regulation, Environmental Health Officer		enforcement agency
447067	A	Food Act 2001	section 42(3)(e)	Dispose of a thing forfeited to the enforcement agency under pursuant to section 42	Director Development & Regulation, Environmental Health Officer		enforcement agency

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
447068	A	Food Act 2001	section 52(2)	Pay compensation if there were no grounds for the council's Chief Executive Officer to make a prohibition order under section 46	Director Development & Regulation, Environmental Health Officer		enforcement agency
447069	A	Food Act 2001	section 52(3)	Send written notification of determination as to the payment of compensation to each applicant for compensation	Director Development & Regulation, Environmental Health Officer		enforcement agency
447070	A	Food Act 2001	section 79(1)(a)	Determine the priority classification of individual food businesses in its council area for the application of any requirements of the regulations relating to food safety programs	Director Development & Regulation, Environmental Health Officer		enforcement agency
447071	A	Food Act 2001	section 79(1)(b)	Determine the frequency of auditing of any food safety programs required by the regulations in relation to food businesses in the council area	Director Development & Regulation, Environmental Health Officer		enforcement agency

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
447072	A	Food Act 2001	section 79(3)	Provide written notification to the proprietor of a food business in the council area of the priority classification of its business, the food safety audit frequency and the date by which a food safety program required by the regulations must be implemented	Director Development & Regulation, Environmental Health Officer		enforcement agency
447073	A	Food Act 2001	section 79(4)	Change the priority classification of a food business in the council area	Director Development & Regulation, Environmental Health Officer		enforcement agency
447074	A	Food Act 2001	section 79(5)	Provide written notification to the proprietor of a change to the priority classification of the proprietor's food business	Director Development & Regulation, Environmental Health Officer		enforcement agency

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
447075	A	Food Act 2001	section 81(1)	Receive a report from a food safety auditor of the results of any audit or assessment carried out by the food auditor for the purposes of the Act	Director Development & Regulation, Environmental Health Officer		enforcement agency
447076	A	Food Act 2001	section 81(6)	Receive a report from a food safety auditor recommending that the priority classification of a food business be changed	Director Development & Regulation, Environmental Health Officer		enforcement agency
447077	A	Food Act 2001	section 81(7)	Provide a copy of any report received from a food safety auditor of the results of any audit or assessment carried out by the food auditor to the proprietor of the food business audited or assessed	Director Development & Regulation, Environmental Health Officer		enforcement agency

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
447078	A	Food Act 2001	section 86(1)	Receive written notice of information specified in the Food Safety Standards from a food business proposed to be conducted in the council area	Director Development & Regulation, Environmental Health Officer		enforcement agency
447079	A	Food Act 2001	section 86(2)	Receive written notice of information specified in the Food Safety Standards from a food business conducted in the council area	Director Development & Regulation, Environmental Health Officer		enforcement agency
447080	A	Food Act 2001	section 86(3)	Receive written notice of transferred ownership or a change in name or address of a food business conducted in the council area	Director Development & Regulation, Environmental Health Officer		enforcement agency
447081	A	Food Act 2001	section 88(5)	Consent in writing to the delegation of a power of the relevant authority to the enforcement agency	Director Development & Regulation, Environmental Health Officer		enforcement agency

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
447082	A	Food Act 2001	section 89	Undertake the functions in relation to the administration of the Act conferred or imposed upon the enforcement agency by the Act or by delegation	Director Development & Regulation, Environmental Health Officer		enforcement agency
447083	A	Food Act 2001	section 90	Participate in consultation with the relevant authority in regard to proposed conditions or limitation on the exercise of functions of the enforcement agency under the Act	Director Development & Regulation, Environmental Health Officer		enforcement agency
447084	A	Food Act 2001	section 94(1)	Appoint persons with appropriate qualification or experience to be authorised officers	Not Sub-Delegated		enforcement agency
447085	A	Food Act 2001	section 94(2)	Prepare and maintain a list of authorised officers	Director Development & Regulation, Environmental Health Officer		enforcement agency

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
447086	A	Food Act 2001	section 95(1)	Provide each authorised officer with a certificate of authority	Director Development & Regulation, Environmental Health Officer		enforcement agency
447087	A	Food Act 2001	section 95(2)	Limit the authority of an authorised officer	Not Sub-Delegated		enforcement agency
447088	A	Food Act 2001	section 104(1)	Send samples retained under the Act to an independent analyst in accordance with a court order	Director Development & Regulation, Environmental Health Officer		enforcement agency

ID	Status Code	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations	Capacity of Council
447089	A	Food Regulations 2017	regulation 13(a)	Impose a fee for the carrying out of an inspection of food premises or food transport vehicles	Director Development & Regulation		enforcement agency
447090	A	Food Regulations 2017	regulation 13(b)	Recover a fee imposed under regulation 13(a) from the occupier of the premises or owner or operator of the vehicle	Director Development & Regulation		enforcement agency