

	Direct Delegation from Council	Conditions/ Limitations	Sub-Delegation from CEO
INSTRUMENT OF DELEGATION UNDER THE UNCLAIMED GOODS ACT 1987			
1. Unclaimed Goods			
1.1	CEO	NIL	Director Strategy & Development Director Corporate Services Manager Property Services Manager Waste, Health & Regulatory Services
1.2	CEO	NIL	Director Strategy & Development Director Corporate Services Manager Property Services Manager Waste, Health & Regulatory Services
1.3	CEO	NIL	Director Strategy & Development Director Corporate Services Manager Property Services Manager Waste, Health & Regulatory Services
1.3.1			
1.3.2			
1.3.3			
1.3.4			
1.3.4.1			
1.3.4.2			
1.2	CEO	NIL	Director Strategy & Development Director Corporate Services Manager Property Services Manager Waste, Health & Regulatory Services
2. Sale or Disposal of Unclaimed Goods			
2.1	CEO	NIL	Director Strategy & Development

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	after the expiration of three months from the relevant date -			Director Corporate Services Manager Property Services Manager Waste, Health & Regulatory Services
	2.1.1 sell the goods; or			
	2.1.2 if the value of the goods would be insufficient to defray the costs of sale - otherwise dispose of the goods.			
2.2	The power pursuant to Section 6(2) of the Act to apply to the Court for an authorisation to sell or dispose of goods under Section 6(1) of the Act and the duty pursuant to Section 6(2) of the Act, if the value of the goods lies within scale 3, to not sell or dispose of the goods without such an authorisation.	CEO	NIL	Director Strategy & Development Director Corporate Services Manager Property Services Manager Waste, Health & Regulatory Services
2.3	The duty pursuant to Section 6(3) of the Act where an application for an authorisation under Section 6(2) of the Act is made, to -	CEO	NIL	Director Strategy & Development Director Corporate Services Manager Property Services Manager Waste, Health & Regulatory Services
	2.3.1 give notice of the application to the Commissioner of Police; and			
	2.3.2 give such notice (if any) as the Court thinks appropriate to the bailor and any other person who, in the opinion of the Court, may have an interest in the goods.			
2.4	The power pursuant to Section 6(5) of the Act, if the value of unclaimed goods lies within scale 1 or 2, to sell or dispose of the goods under Section 6(1) of the Act without any authorisation by the Court and the duty pursuant to Section 6(5)(b) of the Act, if goods whose value lies within scale 2 are to be sold without such an authorisation, to	CEO	NIL	Director Strategy & Development Director Corporate Services Manager Property Services Manager Waste, Health & Regulatory Services
	2.4.1 sell the goods by public auction; and			
	2.4.2 give notice in the prescribed form of the time and place of the proposed sale at least one month before the date of the proposed sale -			
	2.4.2.1 to the Commissioner of Police; and			
	2.4.2.2 to the bailor.			
2.5	The power pursuant to Section 6(6) of the Act to give a notice under Section 6(5)(b) of the Act by post and, if the identity or whereabouts of the bailor is unknown, to give the notice to the bailor by advertisement in a newspaper circulating generally throughout the State.	CEO	NIL	Director Strategy & Development Director Corporate Services Manager Property Services Manager Waste, Health & Regulatory Services
3.	Claim Made by Bailor After Commencement of Proceedings Under this Act			
3.1	The duty pursuant to Section 7(1) of the Act and subject to Section 7(2) of the Act, where the Council has commenced proceedings for the sale or disposal	CEO	NIL	Director Strategy & Development

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	of goods under the Act but before the goods are sold or disposed of the bailor claims the goods, to not proceed with the sale or disposal of the goods, and to hand them over to the bailor.			Director Corporate Services Manager Property Services Manager Waste, Health & Regulatory Services
3.2	The power pursuant to Section 7(2) of the Act to, before handing over goods under Section 7(1) of the Act, require the bailor to pay -	CEO	NIL	Director Strategy & Development Director Corporate Services Manager Property Services Manager Waste, Health & Regulatory Services
	3.2.1 the reasonable costs incurred by the Council in proceeding under the Act;			
	3.2.2 the reasonable costs incurred by the Council in storing and maintaining the goods after the date on which the bailor should have collected or taken delivery of them;			
	3.2.3 the amount of any lien that the Council has over the goods.			
3.3	The power pursuant to Section 7(3) of the Act, if at the expiration of 42 days after the Council has rendered a written account of the amounts claimed under Section 7(2) of the Act the bailor has not paid those amounts, to, subject to Section 7(4) of the Act, proceed to sell or dispose of the goods.	CEO	NIL	Director Strategy & Development Director Corporate Services Manager Property Services Manager Waste, Health & Regulatory Services
4.	Proceeds of Sale			
4.1	The power pursuant to Section 8(1) of the Act in relation to the proceeds of the sale of goods under the Act to -	CEO	NIL	Director Strategy & Development Director Corporate Services Manager Property Services Manager Waste, Health & Regulatory Services
	4.1.1 retain from those proceeds -			
	4.1.1.1 the reasonable costs of the sale and of proceeding under the Act;			
	4.1.1.2 the reasonable costs of storing and maintaining the goods prior to sale;			
	4.1.1.3 the amount of any lien that the Council had over the goods; and			
	4.1.2 pay the balance to the Treasurer.			