

## 1 Name of Instrument

This instrument is the *Norfolk Island (Local Government Act 1993 (NSW) (NI)) Direction and Delegation 2016 (No. 1)*.

## 2 Commencement

This instrument commences on 1 July 2016.

## 3 Definitions

In this instrument:

**Administrator of Norfolk Island** means the Administrator of the Territory of Norfolk Island appointed under section 7 of the *Norfolk Island Administrator Ordinance 2016*.

**Classification Rules** means the rules issued under section 23 of the *Public Service Act 1999*.

**Commonwealth Act** means the *Norfolk Island Act 1979* (Cth).

**Department** means the Department of Infrastructure and Regional Development

**Deputy Secretary** means a Deputy Secretary of the Department.

**General Manager** means the person appointed under section 344 of the LGA

**LGA** means the *Local Government Act 1993* (NSW), in force in Norfolk Island under section 18A of the Commonwealth Act

**LGR** means the Local Government (General) Regulation 2005 (NSW), in force in Norfolk Island under section 18A of the Commonwealth Act.

**Power** includes function or duty, and, in that context, **conferred** means imposed.

**Regional Council** means the body declared to be the Norfolk Island Regional Council by the *Norfolk Island Regional Council Declaration Ordinance 2016*.

**Secretary** means the Secretary of the Department.

**SES 1** means an SES employee who is classified as a Senior Executive Service Band 1 employee under the Classification Rules.

*Note* Section 2B and subsection 46(1) (where applicable) of the *Acts Interpretation Act 1901* incorporates in this instrument the definition of SES employee from the *Public Service Act 1999*.

**SES 2** means an SES employee who is classified as a Senior Executive Service Band 2 employee under the Classification Rules.

## 4 Vesting of powers

- (1) I direct, under paragraph 18B(3)(a) of the Commonwealth Act, that the power or powers that are specified in Column 1 of an item in Schedule 1 are also vested in:

- (a) the authority; or
- (b) a person for the time being holding, occupying or performing the duties of the office or position; or
- (c) a person acting in an office or position;  
specified in Column 2 of that item.

**5 Delegation of powers**

- (1) I delegate, under paragraph 18B(3)(b) of the Commonwealth Act, the power or powers that are specified in Column 1 of an item in Schedule 2 to:
- (a) the authority; or
  - (b) a person for the time being holding, occupying or performing the duties of the office or position; or
  - (c) a person acting in an office or position;  
specified in Column 2 of that item.

**6 Delegation of powers by General Manager**

In accordance with paragraph 18B(4), the General Manager is empowered to delegate, in writing, to a specified person, any or all powers vested in him or her by clause 4 of this Instrument.

**7 Delegation of powers by the Regional Council**

The Regional Council is empowered to delegate, in writing, to a specified person, any power vested in it by clause 4 of this Instrument provided that the delegation complies with the requirements in section 377 and section 379 of the LGA.

**8 Delegation of powers by the Administrator of Norfolk Island**

The Administrator of Norfolk Island is empowered to delegate, in writing, to a specified person, any or all powers vested in him or her by clause 4 of this Instrument.

**9 References to business division, branch, office or centre**

Unless the contrary intention appears, a reference in the Schedule to a business division, branch, office or centre is a reference to such an organisational structure within the Department.