

Renfrewshire Council

Scheme of Delegated Functions

Statutory Appointments of Officers

Section Four

Statutory appointments of officers

In terms of various statutes, the Council is required to appoint officers for a variety of particular purposes. Officers so appointed are empowered to take such action as is implicit in their role. The statutory appointments agreed by the Council are as follows:-

Statutory Provision	Purpose/Role	Officer
Social Work (Scotland) Act 1968		
s.3	chief social work officer	director of social work
Local Government (Scotland) Act 1973		
s.33A	proper officer to receive delivery of councillors' declaration of acceptance of office.	director of corporate services
s.33A(3)	officer before whom the declaration of acceptance of office may be made.	director of corporate services
s.34	proper officer for receipt of councillors' resignations.	director of corporate services
s.40	proper officer for receipt of general notices from councillors in respect of pecuniary interests and for recording of councillors' disclosures of pecuniary interests.	director of corporate services
s.43 and schedule 7 para 1(4)	proper officer for receipt of requisition for special Council meeting.	director of corporate services
s.43 and schedule 7 para 2(1)	proper officer to sign summons to special Council meetings.	director of corporate services

s.43 and schedule 7 para 2(2)	proper officer for receipt of notice by member of alternative address.	director of corporate services
s.50B	proper officer to exclude reports containing exempt information from public, and to provide documents to the press.	director of corporate services
s.50C	proper officer to provide written summary where minutes are excluded from public.	director of corporate services
s.50F	proper officer to determine documents which are not open to inspection.	director of corporate services
s.92	proper officer for dealing with the transfer of securities.	director of finance & information technology
s.95	proper officer for the administration of the Council's financial affairs.	director of finance & information technology
s.145	proper officer in respect of Ordnance Survey applications.	director of planning & transport
s.190	proper officer for service of legal proceedings, notices, etc., on the Council.	director of corporate services
s.191	proper officer to sign any claim on behalf of the Council in any sequestration, liquidations and other such proceedings in which the Council is entitled to make a claim.	director of corporate services
s.193	proper officer to sign notices, orders, etc.	director with responsibility for the relevant function to which the notice, order etc., relates
s.194	proper officer in respect of	director of corporate

	execution of deeds and use of the Council's seal.	services
s.197	proper officer in respect of arrangements for the inspection and depositing of documents.	director of corporate services
s.202	proper officer to authenticate byelaws and deliver copies to other relevant authorities.	director of corporate services
s.202B	proper officer to certify entry in register of byelaws.	director of corporate services
s.204	proper officer to provide certificate as evidence of byelaws.	director of corporate services
s.206	proper officer in respect of the keeping of a register of persons admitted as freemen of the Council's area.	director of corporate services
s.231	proper officer to make application to the Sheriff on questions arising from the Local Government (Scotland) Act 1973.	director of corporate services

District Courts (Scotland) Act 1975

s.7	Clerk to the District Court	head of legal and administrative services
s.18	Clerk of the Peace	head of legal and administrative services

Licensing (Scotland) Act 1976

s.7	Clerk to the Licensing Board	head of legal and administrative services
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**Civic Government
(Scotland) Act 1982**

s.113	proper officer in respect of evidence of management rules.	director of corporate services
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**Ethical Standards in
Public Life Etc.
(Scotland) Act, 2000
(Register of Interests)
Regulations 2003**

proper officer for the purpose of Sections 7(1) to set up, maintain and make available for public inspection the register of interests.	director of corporate services
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**Representation of the
People Act 1983**

s.41	Returning Officer	chief executive
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s.67-70	notification of matters relating to election agents.	chief executive
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s.82(4)(b)	officer before whom declaration as to election expenses may be made.	chief executive
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s.131(1)	the provision of accommodation for the election court.	chief executive
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s.133(1)	the seeking of repayments of expenses of the election court at the discretion of the court.	chief executive
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schedule 5 para 6	retention of a list of rooms for use for parliamentary election meetings.	chief executive
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**Weights and Measures
Act 1985**

s 72(1)(a)	chief inspector of weights and measures	head of regulatory services
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Local Government and Housing Act 1989

s.2	proper officer in respect of lists of politically restricted posts.	director of corporate services
s.4	head of paid service.	chief executive
s.5	monitoring officer	director of corporate services
s.19	proper officer for receipt of notices of members' interests and maintenance of records.	director of corporate services

Environmental Protection Act 1990

s 149(1)	officer appointed for the purposes of discharging the functions imposed or conferred on the Council for dealing with stray dogs in its area	director of environmental services
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Local Authorities (Contracts) (Scotland) Regulations 1997, Regulation 4

proper officer for certification purposes.	head of legal and administrative services
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The Scottish Local Election Rules 2002

rule 45	proper officer for the receipt of documents following an election	chief executive
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The officers appointed for the foregoing purposes are to carry out their respective duties personally, but where they are unable to do so owing to absence, the following officers will undertake their duties:-

in the absence of the chief executive for election purposes

the director of corporate services

in the absence of the director of corporate services as monitoring officer

the head of legal and administrative services

in the absence of a director as proper officer

the relevant head of service

in the absence of the head of legal services as Clerk to the District Court, Clerk of the Peace and/or Clerk to the Licensing Board

the managing solicitor (litigation and regulatory services)

in the absence of the head of legal services as proper officer for certification purposes

the managing solicitor (contracts and conveyancing)