

House of Assembly

As passed all stages and awaiting assent.

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South Australia

Zero Waste SA (Miscellaneous) Amendment Bill 2012

A BILL FOR

An Act to amend the *Zero Waste SA Act 2004*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Zero Waste SA (Miscellaneous) Amendment Act 2012*.

2—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Zero Waste SA Act 2004*

3—Insertion of section 7A

After section 7 insert:

7A—Application of *Public Finance and Audit Act 1987*

Nothing in this Act will be taken to exclude the application of the *Public Finance and Audit Act 1987* with respect to the performance or exercise of the functions or powers of Zero Waste SA (including in connection with the management, investment and application of the Waste to Resources Fund).

4—Insertion of section 13A

After section 13 insert:

13A—Delegation

- (1) Zero Waste SA may delegate to a person (including a person for the time being performing particular duties or holding or acting in a particular position) or committee a function or power under this Act (except a prescribed function or power).
- (2) A delegation—
 - (a) must be by instrument in writing; and
 - (b) may be absolute or conditional; and
 - (c) does not derogate from the power of the delegator to act in a matter; and
 - (d) is revocable at will.
- (3) A delegated function or power may, if the instrument of delegation so provides, be further delegated in accordance with that instrument.
- (4) In legal proceedings, an apparently genuine certificate, purportedly signed by the presiding member of the Board containing particulars of a delegation under this section, will, in the absence of proof to the contrary, be accepted as proof that the delegation was made in accordance with the particulars.