

Heritage (Heritage Council) Delegation 2011 (No 1)

Notifiable Instrument NI2011—270

made under the

Heritage Act 2004, s121 (Delegation)

1 Name of instrument

This instrument is the *Heritage (Heritage Council) Delegation 2011 (No 1)*.*

2 Commencement

This instrument commences on the day it is signed.

3 Delegation of functions under the *Heritage Act 2004*

The Heritage Council delegates the following functions under the *Heritage Act 2004* (the Act) to the person who occupies the position of the Director-General of the Directorate with administrative responsibility for the Act –

- (a) section 20 (establishment of heritage register);
- (b) section 21(1) (public access to the heritage register);
- (c) section 24 (correction of heritage register);
- (d) section 25(1) (guidelines about conserving heritage significance);
- (e) section 26 (public consultation about heritage guidelines);
- (f) section 30 (dismissal of nomination);
- (g) section 31 (consultation with representative Aboriginal organisation (RAO's) about provisional registration);
- (h) section 33 (provisional registration of place or object);
- (i) section 34(1)(3) (notice of decision about provisional registration);
- (j) section 36 (extension of provisional registration);
- (k) section 38 (report to Minister about public consultation);
- (l) section 43 (cancellation proposal);
- (m) section 53 (assessing heritage significance of reported aboriginal places and objects);
- (n) section 54 (declaration of restricted information);
- (o) section 56 (approval to publish restricted information);

*Name amended under Legislation Act, s 60

- (p) section 57(2) (limited access to restricted information);
- (q) section 60(2)(3) (advice about effect of development on heritage significance);
- (r) section 68(1)(a) (application for heritage order);
- (s) section 95(2) (information discovery orders);
- (t) section 104(2) (enforcement order);
- (u) section 105 (financial and other assistance); and
- (v) section 110 (conservation management plan)

Note 1 The *Legislation Act 2001* defines 'occupy', in relation to a position, to include hold the position, act in the position, or exercise the functions of the position.

Note 2 The director-General may subdelegate a function delegated to the Director-General – see *Public Sector Management Act 1994*, s36.

Michael Pearson
Chair of Heritage Council
ACT Heritage Council
30 May 2011