

4. PROPER OFFICER PROVISIONS

Why is the need for Proper Officers.

The Local Government Act 1972 and other acts as stated below contain provisions that require the Authority to identify either the Chief Constable, Clerk or Treasurer to be responsible for specific matters (The Proper Officer). The list below meets the full requirements of the Act for the nomination of "Proper Officers".

The Proper Officers

- E1. The Clerk shall be nominated as the Proper Officer for the following: -
1. Section 96 (1) - Receipt of notices of pecuniary interest.
 2. Section 96 (2) - Keeping records of disclosures of pecuniary interest under section 94 and of notices under Section 96 (1).
 3. Section 100B - Determination of which reports or parts of reports should not be disclosed on the grounds that they include exempt information which is likely to be considered in private.
 4. Section 100C – Minuting of meetings and preparing where necessary written summary of such parts of meetings at which the public are not present.
 5. Section 100F - Determination of which documents should not be disclosed to members on the grounds that they include confidential or exempt information.
 6. Section 229 (5) - Certification of photographic copies of documents.
 7. Section 231 (1) & (2) – Authentication of documents.
 8. Schedule 12 paragraph 4 (2) (b) – Signature of summonses to Police Authority meetings.
 9. Schedule 12 paragraph 4 (3) – Receipt of notices regarding address at which summonses to meetings are to be sent.
 10. Section 41 (1) & (3) of the Local Government Miscellaneous Provisions) Act 1976 – Certification of resolutions and minutes, etc., for evidential purposes.
 11. Section 19 (1) (a) of the Local Government and Housing Act 1989 – Receipt of notices of members' interest.

- E2. The Treasurer shall be nominated as the Proper Officer for the following: -
1. Section 115 (2) – Receipt of monies due from officers.
 2. Section 228 (3) – Inspection of accounts.
- E3. The Clerk, Treasurer and Chief Constable shall be nominated as the Proper Officers in respect of Section 100D which relates to the preparation of the list of background papers for reports.