

## PROPER OFFICERS AND STATUTORY DESIGNATIONS

The following table lists the officers approved by the Council as Proper Officers and otherwise designated for particular statutory purposes.

FUNCTION	LEGISLATION
<b>Chief Executive</b>	
Designated Head of the Paid Service	Section 4 Local Government and Housing Act 1989
Making and signing all declarations of ownership under the Merchant Shipping Act 1995	Section 6 Merchant Shipping Act 1995
Proper Officer to receive notice of reports on investigations by Commissioner for Local Administration in Scotland	Scottish Public Services Ombudsman Act 2002
Appointed Returning Officer for the election of councillors for the authority	Section 41 Representation of the People Act 1983
Appointed Returning Officer for the election of councillors to community councils	Sections 51 and 52 Local Government (Scotland) Act 1973 and the approved Scheme for the Establishment of Community Councils
Proper Officer for Receipt of Declaration of Acceptance of office from an elected member	Section 33A Local Government (Scotland) Act 1973
Appointed Returning Officer for a Parliamentary election of Members of the Scottish and UK Parliaments for na h-Eileanan an Iar and for referenda	Section 25 Representation of the People Act 1983
Officer responsible for maintenance of List of Politically Restricted Posts	Section 2 Local Government and Housing Act 1989
Proper Officer to give notice of meetings	Schedule 7 paragraph 2(2) Local Government (Scotland) Act 1973
Proper Officer for maintaining the Register of Interests, receiving notices and recording declarations	Section 7 of the Ethical Standards in Public Life etc. (Scotland) Act 2000 and the Ethical Standards in Public Life etc. (Scotland) Act 2000 (Register of Interests) Regulations 2003
Proper Officer for the certification of Management Rules	Section 112 Civic Government (Scotland) Act 1982
Determining which background papers are to be open to the public	Section 50D (5) Local Government (Scotland) Act 1973
Proper Officer for receiving notification in writing by a Member of his resignation from membership of the Council or from any committee or sub-committee	Section 34 Local Government (Scotland) Act 1973

Proper Officer to receive requests for appointment of a person to assist in examining, ascertaining and marking out reputed boundaries	Section 145 Local Government (Scotland) Act 1973 and Sections 1 and 17 Ordnance Survey Act 1841
Proper Officer for Service of legal proceedings etc.	Section 190 Local Government (Scotland) Act 1973
Proper Officer in respect of claims in sequestrations and liquidations and acting on behalf of the Council in connection with such claims	Section 191 Local Government (Scotland) Act 1973
Making arrangements for the inspection and deposit of Parliamentary and other documents	Section 197(2) Local Government (Scotland) Act 1973
Proper Officer for authentication, certification and registration of byelaws	Section 202 Local Government (Scotland) Act 1973
Proper Officer responsible for keeping the roll of honorary freemen	Section 206(2) Local Government (Scotland) Act 1973
Proper Officer for the purposes of the Local Authorities etc. (Allowances) (Scotland) Regulations 1995	Local Authorities etc. (Allowances) (Scotland) Regulations 1995
Excluding from inspection etc. copies of reports where it is likely that the meeting will not be open to the public during consideration of that item	Sections 50B (2) Local Government (Scotland) Act 1973
Supplying for the benefit of any newspaper copies of documents supplied to members in connection with items on an agenda	Section 50B (7)(c) Local Government (Scotland) Act 1973
Making a written summary of proceedings or part of proceedings where exclusion of exempt information from the minute does not provide members of the public with a reasonably fair and coherent record of the proceedings	Section 50C (2) Local Government (Scotland) Act 1973
Data Protection “lead officer” duties and Freedom of Information “lead officer” duties	Data Protection Act 2018 and Freedom of Information (Scotland) Act 2002
<b>All Heads of Department</b>	
Compiling lists of background papers for a report or part of a report	Section 50D (1)(a) Local Government (Scotland) Act 1973
Identifying those papers which disclose any facts or matters on which the report or any important part of a report is based, and which have been relied on to a material extent in preparing the report	Section 50D (5) Local Government (Scotland) Act 1973

<b>Legal and Procurement Manager</b>	
Monitoring Officer	Section 5 Local Government and Housing Act 1989
Chief Executive nominated by Monitoring Officer as Depute Monitoring Officer	Section 5(7) Local Government and Housing Act 1989
<b>Director for Assets, Finance and Resources</b>	
Officer responsible for the proper administration of the Council's financial affairs	Section 95 Local Government (Scotland) Act 1973
Proper Officer responsible for transfer of securities on alteration of area	Section 92 Local Government (Scotland) Act 1973
Proper Officer responsible for holding property on trust	Section 16 Local Government etc. (Scotland) Act 1994
Designated/Appointed Registrar of Stocks, Bonds and Mortgages	Regulation 2 Local Authority Stocks and Bonds (Scotland) Regulations 1975 and Regulation 2 Local Authority Mortgages (Scotland) Regulations 1975
<b>Harbour Master</b>	
Designation as Harbour Master	All Harbour Orders in Western Isles Area
<b>Head of Children's Services or Head of Community Care, dependent on location of postholder</b>	
Chief Social Work Officer	Section 3 Social Work (Scotland) Act 1968
<b>Trading Standards Officer (Weights and Measures)</b>	
Chief Inspector of Weights and Measures	Section 72 (1) (a) Weights and Measures Act 1985
<b>Chief Executive, Executive Head of Corporate Services, Legal and Procurement Manager and Governance and Elections Manager</b>	
Signing and authentication of legal and constitutional documents and statutory notices	Paragraph 4, Schedule 2 Requirements of Writing (Scotland) Act 1995 and all other Acts relating to service of notices or requiring the production of information including Sections 271 and 272 of the Town and Country Planning (Scotland) Act 1997
Proper Officer for the authentication of documents	Section 193 Local Government (Scotland) Act 1973