



## 1 HEAD OF POWER

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- *Local Government Act 2009*
- *Local Government Regulation 2012*

## 2 POLICY OBJECTIVE

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The objective of this policy is to provide clear guidance regarding the appointment of a person as Acting Chief Executive Officer in accordance with Section 195 of the Local Government Act 2009.

## 3 POLICY SCOPE

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This policy applies when the Chief Executive Officer (CEO) is absent from duty, or cannot, for another reason, perform the Chief Executive Officer's responsibilities.

## 4 POLICY STATEMENT

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Section 195 of the Local Government Act 2009 requires a local government to appoint a qualified person to act as the Chief Executive Officer during:

- (a) any vacancy, or all vacancies, in the position; or
- (b) any period, or all periods, when the Chief Executive Officer is absent from duty or cannot, for another reason, perform the Chief Executive Officer's responsibilities.

### 4.1 APPLICATION FOR LEAVE

An application for annual leave, long service leave, personal leave or an extended absence made by the CEO is to be approved by the Mayor on behalf of Council.

### 4.2 APPOINTMENT OF AN ACTING CHIEF EXECUTIVE OFFICER

Where there are periods of annual leave, long service leave or other periods of extended absence of the CEO, it is appropriate for a person to perform the duties of the CEO to enable the efficient functioning of the local government's administration.

Executive Managers will be appointed to the role of Acting CEO at the discretion of the CEO in consultation with the Mayor, subject to Officer performance and dependent on availability and operational requirements.

Appointment to the role of Acting CEO must be made in writing by the CEO.

The Acting CEO must reside in Pormpuraaw for the majority of the time appointed as the Acting CEO.

Appointment to the role of Acting CEO may only be made by the CEO with consultation with the Mayor for periods of leave up to four (4) weeks.

If the period of leave is to exceed four (4) weeks in a continuous period, then Council should appoint the Acting CEO by resolution. Council may appoint to the position of Acting CEO:-

- a Council Executive Manager; or
- a suitably experienced and qualified individual as a short-term contract during extended periods of absence of the CEO.

Where the CEO in consultation with the Mayor, appoints an Executive Manager to the position of Acting CEO, the CEO is to advise all Elected Members in writing of the appointment and the period to which the appointment covers

### 4.3 UNEXPECTED LEAVE OR VACANCY

In the event that the CEO is required to take unexpected leave or is otherwise incapacitated or the position falls unexpectedly vacant, and no appointment has been made, the following line of succession shall apply until Council appoints an Acting CEO giving priority of the Executive Managers located in Pormpuraaw:

- Executive Manager Community Services
- Executive Manager Operational Services
- Executive Manager Corporate Services

## 5 HUMAN RIGHTS COMPATIBILITY STATEMENT

This policy has been assessed as compatible with Human Rights protected under *the Human Rights Act 2019*.

## 6 DEFINITIONS

Term	Definition
Council	Pormpuraaw Aboriginal Shire Council
CEO	Chief Executive Officer

## 7 RELATED POLICS AND OTHER DOCUMENTS

Recruitment Policy

## 8 MONITORING AND REVIEW

This policy is to be reviewed every four (4) years for relevance and to ensure that its effectiveness is maintained.

## 9 RESPONSIBILITY

This Policy is to be:-

- implemented by the CEO; and
- reviewed and amended in accordance with the by the Executive Manager Corporate Services.

## 10 VERSION CONTROL

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Version	Details	Resolution No	Date
V1	Creating and Adopting	2025/157	15 Oct 2025