



List of Proper Officers

Temporary List – from 1 September 2026 to 9 December 2026

Document Information			
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Final Approval Date			24 September 2026
Approved by – <i>Council/Committee/Group/Manager</i>			Chief Executive
Review Frequency			To be confirmed
Date of next planned review start			By 9 December 2026
Summary of changes to document			
Date	Version Updated number	New version number	Brief description of changes
Sept 2026	-	0.1	First draft for Legal checks
Sept 2026	0.1	0.2	Temporary Removal of Nominated Depute Officers – until such time as Executive Manager structure is finalised. Second draft for review by CE
24 September 2026	-	0.2	Approved by CE.

Notes:

- The officers set out in the table below are appointed to be the Council's Proper Officer for the stated legislative provisions.
- The Depute Officer is appointed to act where the Proper Officer is absent and/or unable to act for any reason. **The Depute Officer must be duly authorised and qualified to undertake the Proper Officer's duties. The Chief Executive, in consultation with the Monitoring Officer, will determine any question arising as to the qualification or authority required by any Depute Officer to undertake Proper Officer duties.**
- In absence of the appointment of a Proper Officer or an appointed Depute Officer, the Monitoring Officer will be the Council's Proper Officer and has power to delegate this power, until an appointment is made.
- The Chief Executive has delegated authority* to amend the list of Proper Officers to remove and replace redundant posts or provisions or to change Proper Officer and Depute Officer appointments.
- This list is not necessarily exhaustive and any omission shall not affect the validity of any action or decision taken by the Proper Officer.
- The following Proper Officers require appointments to be confirmed by the Council:
 - Head of Paid Service
 - Returning Officer
- The following Appointed Officers required appointments to be confirmed by the SIALB:
 - Clerk to the Licensing Board

* Part 3 of the Council's Scheme of Administration and Delegations applies – Section 3B(A) Chief Executive – 7 – “To determine the allocation of functions amongst officers and to make or confirm the appointment of such Proper Officers as may be necessary.”

Statutory Provision	Title / Description	Appointed Officer	Nominated Deputy Officer (in absence of Appointed Officer)
Local Government (Scotland) Act 1973			
Section 33A	Proper Officer for various purposes in connection with Councillors' declaration of acceptance of office	Director - Governance	To be confirmed
Section 34	Proper Officer for receipt of Councillors' resignations	Director - Governance	To be confirmed
Sections 43 and Schedule 7	Proper Officer for various purposes in connection with meetings and proceedings of the Council, Committees and Panels	Director - Governance	To be confirmed
Sections 50A – 50K	Proper Officer for various purposes in connection with access to meetings and documents of the Council, Committees and Panels	Director - Governance	To be confirmed
Section 92	Proper Officer for dealing with the transfer of securities	Director – People and Resources	To be confirmed
Section 95	Proper Officer for the administration of the Council's financial affairs ('Section 95 Officer')	Director – People and Resources	To be confirmed
Section 145	Proper Officer in respect of Ordnance Survey applications	Director – People and Resources	To be confirmed
Section 190	Proper Officer for service of legal proceedings, notices, etc, on the Council	Director - Governance	To be confirmed
Section 191	Proper Officer in respect of claims on behalf of the Council in sequestrations and liquidations	Director - Governance	To be confirmed
Section 193	Proper Officer in respect of authentication of documents	Chief Executive / All Directors	To be confirmed
Section 197	Proper Officer in respect of arrangements for the inspection and depositing of documents	Director - Governance	To be confirmed

Statutory Provision	Title / Description	Appointed Officer	Nominated Depute Officer (in absence of Appointed Officer)
Sections 202 to 204	Proper Officer for various purposes in connection with byelaws	Director - Governance	To be confirmed
Section 206	Proper Officer in respect of the keeping of a register of persons admitted as freemen of the Council's area	Director - Governance	To be confirmed
Local Government (Scotland) Act 1975			
Sections 28 and 29	Proper Officer in respect of reports by the Ombudsman	Director - Governance	To be confirmed
Licensing (Scotland) Act 2005			
Section 5 and Schedule 1	Clerk to the Licensing Board	Director - Governance	To be confirmed
Civic Government (Scotland) Act 1982			
Section 113	Proper Officer in respect of evidence of management rules	Director - Governance	To be confirmed
Representation of the People Act 1983			
Section 41	Returning Officer	Chief Executive	Depute Returning Officer(s) as per written appointments by the Returning Officer at time of election
Local Government and Housing Act 1989			
Section 2	Proper Officer in respect of lists of politically restricted posts	Chief Executive	To be confirmed
Section 4	Head of Paid Service	Chief Executive	n/a
Section 5	Monitoring Officer	Director - Governance	To be confirmed
Section 19	Proper Officer for various purposes in connection with Members' interests	Director – Governance	To be confirmed

Statutory Provision	Title / Description	Appointed Officer	Nominated Depute Officer (in absence of Appointed Officer)
Requirements of Writing (Scotland) Act 1995			
Paragraph 4, Schedule 2	Proper Officer in respect of execution of Deeds	Director - Governance	To be confirmed
Ethical Standards in Public Life, Etc (Scotland) Act 2000 (Register of Interests) Regulations 2003			
Regulation 3	Proper Officer for all purposes in connection with registration of Members' interests and other related purposes under the Councillors' Code of Conduct	Director - Governance	To be confirmed
Social Work (Scotland) Act 1968			
Section 3	Chief Social Work Officer	Executive Manager – Adult Social Work	To be confirmed
Data Protection Act 2018			
Section 69(1)	Data Protection Officer	Director - Governance	To be confirmed
Town and Country Planning (Scotland) Act 1997			
Section 50	Chief Planning Officer	Executive Manager – Planning	To be confirmed
Education (Scotland) Act 2016			
Section 78	Chief Education Officer	Executive Manager – Education and Learning	To be confirmed

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