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## COMBINED DELEGATIONS MANUAL

### Minister and Secretary delegations

#### Amendment 99(01/04/24)

The Schedule of Delegates has been updated and watermarks have been added to finance and expenditure delegations referring to the new Finance and Expenditure delegations.

Replaced pages
Schedule of Delegates
Pages 3.2
Pages 6.2, 6.3, 6.5, 6.6,
Pages 7.2 -7.6, 7.8, 7.10-7.13, 7.15-7.18, 7.20-7.28, 7.30-7.32, 7.33
Page 8.2-8.6, 8.8, 8.10 -8.14
Page 13.2

Manuals are available on the Internet at

<http://www.health.nsw.gov.au/policies/manuals/Pages/default.aspx>

If you require details of a past amendment, please email [MOH-CGRM@health.nsw.gov.au](mailto:MOH-CGRM@health.nsw.gov.au)

## NSW MINISTRY OF HEALTH

### SCHEDULE OF DELEGATES

Unless otherwise specified in the delegations the undermentioned generic titles as listed in list A cover the positions in list B.

<u>List A</u>	<u>List B</u>
Level 1	Secretary
Level 2	Deputy Secretary and State Health Services Functional Area Co-Ordinator
Level 3	Persons occupying position one level below Level 2 no matter how designated, the Executive Director, Office of the Secretary and the Director, Internal Audit.
Level 4	Persons occupying position one level below Level 3 no matter how designated.  As well as the positions listed below:  Registrar, Mental Health Review Tribunal; President, Mental Health Review Tribunal; Director, Health Professional Councils Authority.
Level 5	Persons occupying position one level below Level 4 no matter how designated.

#### Conditions and Scope of Delegations

- (1) The Delegations contained in this manual are subject to the conditions and limitations as set out in the specific Delegations;
- (2) A delegate must exercise delegations in accordance with relevant NSW Health Policy Directives and/or whole of government policies in place and updated from time to time.
- (3) A delegation made to any person occupying a specified position may, in the absence of that person, be exercised by a person acting or relieving in that position.
- (4) A delegate may not, unless the specific delegation provides, further delegate or authorise another person to exercise the delegation.
- (5) If a supervisor does not consider it appropriate that an officer has a delegation that is listed, then a written administrative direction should be issued to direct the officer not to exercise the delegation.
- (6) The \$ limits specified for financial delegations are GST exclusive.
- (7) A delegate may not approve matters that are:
  - a. self-related e.g. own overtime; and
  - b. for an officer for whom the delegated officer has no responsibility.
- (8) In accordance with Section 49 of the Interpretations Act, a delegated function that is duly exercised by the delegate is taken to have been exercised by the Delegator (e.g. Minister or Secretary)

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**COMPUTER EQUIPMENT****3.2**

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**COMPUTER EQUIPMENT**

**Approve** expenditure in respect of computer equipment, software and associated services up to the limit of funds available and subsequently committed.

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**PROCEDURES:**

**Refer** Section 12 Public Finance and Audit Act 1983. (M)

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**DELEGATES:***LEVEL 1**DEPUTY DIRECTOR-GENERAL GOVERNANCE, WORKFORCE AND CORPORATE**DEPUTY DIRECTOR-GENERAL STRATEGY AND RESOURCES**DIRECTOR BUSINESS AND ASSET SERVICES AND CHIEF PROCUREMENT OFFICER**CHIEF FINANCIAL OFFICER*

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**DELEGATION: (F5)****58(24/01/14)**

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## EXPENDITURE

6.2

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### EXPENDITURE ON GOODS AND SERVICES

**Authority** to incur expenditure on goods and services for the day to day funding of a division/branch etc.

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#### PROCEDURES:

##### Authority is subject to:

- The financial limit appearing opposite the position held by the delegate.
- The availability of funds.
- Approval for consultancy services being obtained in accordance with the delegation specific to consultancy services.
- Note: these limits may be exceeded for the express purpose of meeting the cost of essential services (e.g. telephone accounts, electricity etc), and centralised group payments (e.g. equipment lease and travel) where individual expenditure approvals are held elsewhere.
- All stores and services are to be obtained in accordance with the Ministry's purchasing instructions and Goods and Services Procurement Policy Manual.
- **Officers who are authorised to incur expenditure are also authorised to sign and execute contracts on behalf of the Health Administration Corporation up to the limits indicated below.**

**Provided** that the Chief Health Officer and the Director, Health Protection NSW are specifically authorised to approve unlimited expenditure for the purchase of vaccines for use in NSW immunisation programs at a cost in excess of their respective financial limits, **subject** to the annual approval allocation/budget for the immunisation program not being exceeded.

**Refer** Section 12 Public Finance and Audit Act 1983. (M)

**Line supervisors of delegates have the right to limit exercise of financial delegation by lesser delegates to levels lower than those otherwise available to those delegates.**

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#### DELEGATES:

LEVEL 1	LESS THAN 1,000,000
LEVEL 2, CHIEF FINANCIAL OFFICER	500,000
LEVEL 3	150,000
LEVEL 4	100,000
LEVEL 5	50,000
ADMINISTRATION/EXECUTIVE OFFICERS	5,000
CHIEF OF STAFF MINISTER'S OFFICE	5,000
LIAISON OFFICER MINISTER'S OFFICE	500

**In respect of accommodation and related expenses where such funding is within the budget approved for such expenses.**

DEPUTY SECRETARY GOVERNANCE, WORKFORCE AND CORPORATE	LESS THAN 1,000,000
DIRECTOR BUSINESS AND ASSET SERVICES AND CHIEF PROCUREMENT OFFICER	LESS THAN 1,000,000
ASSOCIATE DIRECTOR ASSET SERVICES	800,000
SENIOR MANAGER ASSET SERVICES	100,000
MANAGER ASSET SERVICES	50,000
MANAGER GLADESVILLE AND ROZELLE (limited to urgent site maintenance & repairs only)	10,000

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**EXPENDITURE****6.3**

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**EXPENDITURE ON LEGAL REPRESENTATION**

**Authority** to incur expenditure on legal proceedings including engagement of legal representation and settlement of cases for and on behalf of the Department, Health Administration Corporation, Minister and the NSW Public Health System.

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**PROCEDURES:**

This authority entitles the delegate to approve expenditure with no limit.

**Refer** Section 12 Public Finance & Audit Act 1983. (M)

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**DELEGATES:**

*DEPUTY DIRECTOR-GENERAL GOVERNANCE, WORKFORCE AND CORPORATE  
DIRECTOR LEGAL AND REGULATORY SERVICES AND GENERAL COUNSEL*

**EX GRATIA PAYMENTS**

Authority to approve ex gratia payments.

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**PROCEDURES:**

- Payments relating to incidents that occur in the course of employment or compensation claims (which are met by the Treasury Managed Fund etc) are not to be made as ex gratia payments. (For the policy on this see Personnel Handbook 7-4.) Ex gratia payments are discretionary decisions and should only be considered after other available avenues of compensation have been exhausted.
- Such payments are to be made in accordance with any applicable Ministry policy. Ex gratia payment may include the provision of financial aid to impoverished families to assist in meeting the burial cost of relatives.
- **\*Chief Executives of Local Health Districts** have the delegation only to approve the provision of financial aid to impoverished families to assist in meeting the burial cost of relatives. Any other ex gratia payments are to be referred to the Ministry of Health.
- All areas responsible for the approval of ex gratia payments under this delegation are required to submit a quarterly return of details of payments made to the Chief Financial Officer, Ministry of Health to allow the data to be completed and submitted to the Director-General for review.

**Limits**

- Delegates can approve ex gratia payment to assist impoverished families in meeting the burial cost of relatives, up to the maximum of (\$5,000 as at 01/04/13).
- Delegates, other than Local Health District Chief Executives, can approve other ex gratia payments up to a maximum of \$3,000 per person.

**Refer** Treasury Circular Ex Gratia Payments NSWTC11/02 (M)  
Public Finance and Audit Act 1983

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**DELEGATES:**

*DIRECTOR-GENERAL*

*DEPUTY DIRECTOR-GENERAL GOVERNANCE, WORKFORCE AND CORPORATE*

*CHIEF FINANCIAL OFFICER*

*\*CHIEF EXECUTIVE LOCAL HEALTH DISTRICT*

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**EXPENDITURE****6.6**

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**EXPENDITURE ON GOODS AND SERVICES – HEALTH PROFESSIONAL COUNCILS AUTHORITY**

**Authority** to incur expenditure on goods and services for the day to day functioning of the Health Professional Councils Authority.

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**PROCEDURES:****Authority is subject to:**

- The financial limit appearing opposite the position held by the delegate.
- The availability of funds.
- Approval for consultancy services can only be approved by Director up to the level specified.
- Compliance with the NSW Health Goods and Services Procurement Policy
- **Officers who are authorised to incur expenditure are also authorised to sign and execute contracts on behalf of the Health Administration Corporation up to the limits indicated below.**

**Line supervisors of delegates have the right to limit exercise of financial delegation by lesser delegates to levels lower than those otherwise available to those delegates.**

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**Director Health Professional Councils Authority** is also delegated authority to approve expenditure with no limit on goods and services related to:

1. Essential services and related expenses (such as rent, electricity, gas, water, telephone etc)
  2. Civil and Administrative Tribunal of New South Wales (NCAT) costs
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**Refer** Section 13A Health Administration Act 1982.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

<i>DEPUTY DIRECTOR-GENERAL GOVERNANCE, WORKFORCE AND CORPORATE</i>	<i>500,000</i>
<i>DIRECTOR LEGAL AND REGULATORY SERVICES AND GENERAL COUNSEL</i>	<i>250,000</i>
<i>DIRECTOR HEALTH PROFESSIONAL COUNCILS AUTHORITY</i>	<i>250,000</i>
<i>ASSISTANT DIRECTORS HEALTH PROFESSIONAL COUNCILS AUTHORITY</i>	<i>50,000</i>
<i>EXECUTIVE OFFICER HEALTH PROFESSIONAL COUNCILS AUTHORITY</i>	<i>25,000</i>
<i>MANAGER CORPORATE GOVERNANCE HEALTH PROFESSIONAL COUNCILS AUTHORITY</i>	<i>25,000</i>
<i>PRINCIPAL AIIMS HEALTH PROFESSIONAL COUNCILS AUTHORITY</i>	<i>25,000</i>

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DELEGATION: (F109)

84(15/03/19)

**NSW TREASURY MANAGED FUNDS**

**Approve** renewal payment of NSW Treasury Managed Fund deposit premiums as advised by the NSW Treasury Managed Fund.

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**PROCEDURES:**

**Refer** Section 12 Public Finance and Audit Act 1983. (M)

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**DELEGATES:**

*DIRECTOR-GENERAL*

*DEPUTY DIRECTOR-GENERAL STRATEGY AND RESOURCES*

*CHIEF FINANCIAL OFFICER*

*DEPUTY CHIEF FINANCIAL OFFICER*

For revised finance and expenditure delegations, refer to separate document titled 'Finance and Expenditure Delegations (NEW)'.



**EXPENDITURE ON STATE WIDE BASIS**

**Authority** to incur expenditure in respect of health services provided on a state wide basis or health services not related to the operation of divisions or branches of the Ministry, Local Health Districts, public hospitals or the Ambulance Service.

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**PROCEDURES**

This authority is also to apply to central payments made on behalf of divisions, or branches of the Ministry, public health organisations or the Ambulance Service for health services of the kind referred to above. Central payments are to be restricted to the level of provisions/allocations available from within the Ministry's approved annual budget and subject to the availability of funds.

**Refer** Section 12 Public Finance and Audit Act 1983. (M)

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**DELEGATES:**

*DIRECTOR-GENERAL*

*DEPUTY DIRECTOR-GENERAL GOVERNANCE, WORKFORCE AND CORPORATE*

*DEPUTY DIRECTOR-GENERAL STRATEGY AND RESOURCES*

*CHIEF FINANCIAL OFFICER*

*DEPUTY CHIEF FINANCIAL OFFICER*

**ADJUSTMENTS TO BUDGETS FOR PUBLIC HEALTH ORGANISATIONS**

**Determination** and adjustment from time to time of budgets and subsidies to public health organisations for expenditure or commitment of funds, including any variation in projected expenditure in accordance with specific approval.

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**PROCEDURES**

**Refer** Section 127 Health Services Act 1997. (M)  
Section 12 Public Finance and Audit Act 1983. (M)

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**DELEGATES**

*DIRECTOR-GENERAL*  
*DEPUTY DIRECTOR-GENERAL STRATEGY AND RESOURCES*  
*CHIEF FINANCIAL OFFICER*  
*DEPUTY CHIEF FINANCIAL OFFICER*

**PAYMENTS TO PUBLIC HEALTH ORGANISATIONS**

**Authority** to make weekly/monthly payments to public health organisations from the amount of subsidy determined under S.127 of the Health Services Act, the State Managed Fund, and the NSW National Funding Pool.

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**PROCEDURES:**

This delegation is limited to the extent that amounts paid are within the total cash budget approved for the public health organisation and also that funds are available.

**Refer** Section 12 Public Finance and Audit Act 1983. (M)

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**DELEGATES:**

*DIRECTOR-GENERAL*

*DEPUTY DIRECTOR-GENERAL STRATEGY AND RESOURCES*

*CHIEF FINANCIAL OFFICER*

*DEPUTY CHIEF FINANCIAL OFFICER*

*MANAGER EXTERNAL REPORTING*

*MANAGER INTERNAL REPORTING*

**SPECIAL GRANTS TO PUBLIC HEALTH ORGANISATIONS**

**Approve** and pay special grants to public health organisations towards the cost of airfares, removal expenses, etc. of staff recruited from overseas or from interstate.

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**PROCEDURES:**

Payments are to be made at the rates and in accordance with the conditions determined by the Ministry from time to time and are subject to the availability of funds from the Consolidated Fund.

**Refer** Section 127 Health Services Act 1997. (M)  
Section 12 Public Finance and Audit Act 1983. (M)

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**DELEGATES:**

*DIRECTOR-GENERAL*

*DEPUTY DIRECTOR-GENERAL GOVERNANCE, WORKFORCE AND CORPORATE*

*DEPUTY DIRECTOR-GENERAL STRATEGY AND RESOURCES*

*CHIEF FINANCIAL OFFICER*

*DEPUTY CHIEF FINANCIAL OFFICER*

*DIRECTOR WORKPLACE RELATIONS*

*DEPUTY DIRECTOR WORKPLACE RELATIONS*

**VARIATION TO INCREASE SUBSIDY**

**Variation** of a determination of subsidy made under section 127(3).

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**PROCEDURES:**

This delegation only relates to an increase in subsidy.

**Refer** Section 127(3A) Health Services Act 1997. (M)

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**DELEGATES:**

*DIRECTOR-GENERAL*

*DEPUTY DIRECTOR-GENERAL STRATEGY AND RESOURCES*

*CHIEF FINANCIAL OFFICER*

*DEPUTY CHIEF FINANCIAL OFFICER*

For revised finance and expenditure delegations, refer to separate document titled 'Finance and Expenditure Delegations (NEW)'.

**SUBSIDIES TO AFFILIATED HEALTH ORGANISATIONS**

**Authority** to determine:

- (a) subsidy to be received by any affiliated health organisation for its recognised establishments and recognised services; and
- (b) the conditions (if any) that should attach to that subsidy.

**Authority** to vary a determination of subsidy made under section 127(3).

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**PROCEDURES:**

**Refer** Section 129 Health Services Act 1997. (M)  
Section 127(3A) Health Services Act 1997.

This authority is in respect to recognised establishments and recognised services of an affiliated health organisation that are located within the boundary of the Local Health District as described within the Health Services Act 1997.

This delegation empowers the Local Health District to determine conditions (if any) that should attach to that subsidy, provided that one condition must stipulate compliance with Accounts and Audit Determination.

The delegation to vary a determination of subsidy only relates to an increase in subsidy.

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**DELEGATES:**

*DIRECTOR-GENERAL*

*DEPUTY DIRECTOR-GENERAL STRATEGY AND RESOURCES*

*CHIEF EXECUTIVE LOCAL HEALTH DISTRICT*

**AD HOC FUNDING REQUESTS**

**Authority** to approve ad hoc requests for funding from persons/organisations external to the New South Wales public sector health system.

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**PROCEDURES:**

In exercising this delegation the delegate is to be satisfied:

- the grant is in accordance with the mission of the New South Wales health system
- the person, organisation or group is reputable, accountable and able to provide the service being funded
- there is no conflict of interest
- the funds required are available.

One-off grants of \$10,000 or more require prior advice to the Minister for Health.

Prior to approval of grants, compliance with Ministry of Health Policy Directive PD2005\_507 must be ensured, particularly as to any required notice to the Minister.

This delegation cannot be sub-delegated to a lower level within the organisation.

**Refer** Section 12 Public Finance and Audit Act 1983. (M)  
Section 127 (4) Health Services Act 1997. (M)

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**DELEGATIONS:**

*DIRECTOR-GENERAL*

*DEPUTY DIRECTORS-GENERAL*

*CHIEF EXECUTIVE LOCAL HEALTH DISTRICT*

*CHIEF EXECUTIVE OFFICER AMBULANCE SERVICE*

*CHIEF EXECUTIVE THE SYDNEY CHILDREN'S HOSPITALS NETWORK*

*CHIEF EXECUTIVE JUSTICE HEALTH AND FORENSIC MENTAL HEALTH NETWORK*

**PROGRAM GRANTS**

**Approve** amounts of grants for special program related purposes to organisations which comprise:

- other government departments;
- quasi government organisations; or
- other organisations, excluding those covered under the Non Government Organisations (NGO) grant program,

subject to the procedures and accumulative grant agreement dollar limits as listed hereunder.

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**PROCEDURES:**

All payments are subject to funds being available and completion of an approved agreement to the conditions of each grant. Execution of agreements on behalf of Health Administration Corporation is subject to Delegation (A1).

Execution of agreements on behalf of State of New South Wales is subject to Ministerial authorisation or Delegation (A339).

**Refer** Section 12 Public Finance and Audit Act 1983. (M)  
For execution of agreements refer Delegation (A1).

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**DELEGATES:**

<i>LEVEL 1</i>	<i>500,000</i>
<i>LEVEL 2</i>	<i>400,000</i>
<i>LEVEL 3</i>	<i>100,000</i>
<i>LEVEL 4</i>	<i>75,000</i>



**DEFERRAL OF PAYMENT OF SUBSIDY**

**Determination** that payment of the whole or any part of an amount of subsidy payable under section 127 in a financial year is to be deferred until a subsequent financial year.

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**PROCEDURES:**

Payment is deferred in accordance with such a determination.

**Refer** Section 127A Health Services Act 1997. (M)

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**DELEGATES:**

*DIRECTOR-GENERAL*

*DEPUTY DIRECTOR-GENERAL STRATEGY AND RESOURCES*

*CHIEF FINANCIAL OFFICER*

*DEPUTY CHIEF FINANCIAL OFFICER*

**LOANS TO PUBLIC HEALTH ORGANISATIONS**

- **Determination** that an amount of money is to be lent to a public health organisation out of money appropriated from the Consolidated Fund to the Minister.
  - **Determination** of any terms and conditions for such amounts lent.
- 

**PROCEDURES:**

Any loans made pursuant to this delegation must not result in expenditure in excess of forward estimates.

**Refer** Section 127B Health Services Act 1997. (M)

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**DELEGATES:**

*DIRECTOR-GENERAL*

*DEPUTY DIRECTOR-GENERAL STRATEGY AND RESOURCES*

*CHIEF FINANCIAL OFFICER*

*DEPUTY CHIEF FINANCIAL OFFICER*

**CONDITIONS OF SUBSIDY**

**Determination** of conditions for the payment of any subsidy (or part of any subsidy).

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**PROCEDURE:**

**Refer** Section 127(4) Health Services Act 1997. (M)

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**DELEGATES:**

*DIRECTOR-GENERAL*

*DEPUTY DIRECTORS-GENERAL*

*CHIEF FINANCIAL OFFICER*

*DEPUTY CHIEF FINANCIAL OFFICER*

For revised finance and expenditure delegations, refer to separate document titled 'Finance and Expenditure Delegations (NEW)'.

**PUBLIC HEALTH SYSTEM – SCALE OF FEES**

**Approval** of an order fixing, amending or revoking a scale of fees for hospital services and other health services received from any public health organisation.

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**PROCEDURES:**

**Refer** Section 69 Health Services Act 1997. (M)

Where a proposed scale of fees is newly created, or where a proposed increase is in excess of CPI, or in excess of an increase proposed by the Commonwealth, the Director-General is required to consult with central agencies prior to exercising the delegated authority.

Section 69 requires that any order fixing, amending or revoking a scale of fees must be published in the Gazette to take effect.

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**DELEGATE:**

*DIRECTOR-GENERAL*

**PUBLIC HEALTH SYSTEM – AMBULANCE SERVICE – SCALE OF FEES**

**Approval of a notice fixing, amending or revoking a scale of fees for ambulance services provided by the Ambulance Service.**

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**PROCEDURES:**

**Refer** Section 67D Health Services Act 1997. (M)

Where a proposed scale of fees is newly created, or where a proposed increase is in excess of CPI, or in excess of an increase proposed by the Commonwealth, the Director-General is required to consult with central agencies prior to exercising the delegated authority.

Section 67D requires that any notice fixing, amending or revoking a scale of fees must be published in the Gazette to take effect.

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**DELEGATE:**

*DIRECTOR-GENERAL*

**PERIODIC PAYMENT TO AMBULANCE SERVICE**

**Authority** to make periodic payments in relation to the provision of ambulance services from the amount of budget determined annually.

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**PROCEDURES:**

This delegation is limited to the extent that amounts paid are within the total budget amount approved for the provision of ambulance services and also that funds are available.

**Refer** Section 12 Public Finance and Audit Act 1983. (HAC)

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**DELEGATES:**

*DIRECTOR-GENERAL*

*DEPUTY DIRECTOR-GENERAL STRATEGY AND RESOURCES*

*CHIEF FINANCIAL OFFICER*

*DEPUTY CHIEF FINANCIAL OFFICER*

*MANAGER EXTERNAL REPORTING*

*MANAGER INTERNAL REPORTING*

**VARIATION OF SUBSIDY OF AMBULANCE SERVICE BY WAY OF INCREASE**

**Variation** of a determination of subsidy, made in respect of the Ambulance Service of New South Wales, but only as to increase.

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**PROCEDURES:**

**Refer** Section 12 Public Finance and Audit Act 1983. (M)

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**DELEGATES:**

*DIRECTOR-GENERAL*

*DEPUTY DIRECTOR-GENERAL STRATEGY AND RESOURCES*

*CHIEF FINANCIAL OFFICER*

*DEPUTY CHIEF FINANCIAL OFFICER*

For revised finance and expenditure delegations, refer to separate document titled 'Finance and Expenditure Delegations (NEW)'.

**DEFERRAL OF PAYMENT TO AMBULANCE SERVICE**

**Determination** that payment of the whole or any part of an amount of budget payable in relation to the provision of ambulance services in a financial year is to be deferred until a subsequent financial year.

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**PROCEDURES:**

Payment is deferred in accordance with such a determination.

**Refer** Section 12 Public Finance and Audit Act 1983. (HAC)

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**DELEGATES:**

*DIRECTOR-GENERAL*

*DEPUTY DIRECTOR-GENERAL STRATEGY AND RESOURCES*

*CHIEF FINANCIAL OFFICER*

*DEPUTY CHIEF FINANCIAL OFFICER*



**DETERMINATION OF FEES/CHARGES PAYABLE FOR HEALTH SUPPORT SERVICES**

**Authority** to determine fees and charges payable for any health support services provided by or on behalf of the Director-General.

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**PROCEDURES:**

**Refer** section 126B(3) Health Services Act 1997. (DG)

**Delegation made by DG under section 126B(4) of the Health Services Act 1997.**

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**DELEGATES:**

*DEPUTY DIRECTOR-GENERAL GOVERNANCE, WORKFORCE AND CORPORATE  
CHIEF FINANCIAL OFFICER*

**DIRECTOR-GENERAL SERVICES AND AMBULANCE SERVICE**

**Authority** to expend Annual Consolidated Fund Allocation monies for the provision of ambulance services and services, the Director-General provides under section 126B of the Health Services Act 1997.

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**PROCEDURES:**

This delegation is subject to:

1. The Annual Consolidated Fund Allocation not being exceeded; and
2. **The Chief Executive of the Ambulance Service of NSW being limited to approving expenditure on any one item of goods and services or salaries and wages to \$5 million.**

The Chief Executive of the Ambulance Service of NSW, under the provisions of Sections 21(3) and 21(4) of the Health Administration Act 1982, is to approve authority to incur expenditure delegations to specific officers within the Ambulance Services of NSW.

**Refer** Section 12 Public Finance and Audit Act 1983 (HAC)  
Section 21 Health Administration Act 1982 (HAC)  
Chapter 10 Part 1A Health Services Act 1997  
Chapter 5A Health Services Act 1997

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**DELEGATES:**

*DIRECTOR-GENERAL  
DEPUTY DIRECTOR-GENERAL STRATEGY AND RESOURCES  
CHIEF FINANCIAL OFFICER  
CHIEF EXECUTIVE AMBULANCE SERVICE OF NSW*

**AMBULANCE SERVICE RESEARCH FUND – SUMS TO BE PAID**

**Authority** to determine the amount and purpose of sums to be paid from the Ambulance Service Research Fund following advice from an advisory panel established by the Director-General from time to time for that purpose.

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**PROCEDURES:**

The Minister for Health approved on 28 February 2007 the establishment, under the provisions of sections 16 and 19 of the Health Administration Act 1982, of an account within the accounts of the NSW Health Foundation Fund to be called the “Ambulance Service Research Fund”. The Minister further directed, pursuant to sections 17 and 19 of the Health Administration Act 1982, that the NSW Health Foundation, from monies vested in the Ambulance Service Research Fund, shall provide funds, make grants, and provide other support, for research into the clinical or other aspects of aeromedical and associated road retrieval services, or for other purposes related to the conduct of the Ambulance Service of NSW. The ministerial powers, as the Health Foundation, to approve and make grants etc are delegated to the Director-General, subject to the abovementioned provisions.

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**Refer** Sections 16, 17 and 19 Health Administration Act 1982.

**Refer** Delegations by Minister under section 12 Public Finance and Audit Act 1983 and section 21 of Health Administration Act 1982.

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**DELEGATES:**

*DIRECTOR-GENERAL*

*DEPUTY DIRECTOR-GENERAL GOVERNANCE, WORKFORCE AND CORPORATE*

**MARKET RENTAL ASSISTANCE GRANT**

**Approve** grants that directly respond to the NSW Treasury policy requiring the charging of market rental for organisations that comprise:

- Non-government organisations (NGO's)
- Other philanthropic or charitable organisations (providing not for profit health services)

where these organisations are renting or leasing crown properties with control vested to the Ministry, Health Administration Corporation or public health organisations.

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**Procedures:**

NSW Treasury policy states that market rental is to be charged for rental/lease of crown properties under the control of the Ministry of Health, Health Administration Corporation or public health organisations.

All grant approvals are subject to funds being available and completion of an agreement to the conditions of grant.

Authority to approve grants and execute any agreement to organisations as indicated that specifically address the Treasury policy has been given to the following Ministerial officers.

**Refer** Section 12 Public Finance and Audit Act 1983 (M)

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**DELEGATES:**

*DIRECTOR-GENERAL  
DEPUTY DIRECTOR-GENERAL GOVERNANCE, WORKFORCE AND CORPORATE  
DEPUTY DIRECTOR-GENERAL STRATEGY AND RESOURCES  
CHIEF FINANCIAL OFFICER*

**OVERSEAS RECRUITMENT PROGRAM GRANTS**

**Authority** to approve payment of a grant to employees recruited under the overseas recruitment program, toward the cost of airfares, removal expenses and accommodation.

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**Procedures:**

Delegates who are officers authorised to incur expenditure may approve grants for dollar amounts up to the relevant financial limits applicable to those delegates as set out in Delegation (F10, F69).

**Refer:** Section 12, Public Finance and Audit Act (M)

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**DELEGATES:**

*LEVEL 1*

*LEVEL 2*

*LEVEL 3*

**CLINICAL PLACEMENT GRANT PROGRAMS AND SCHOLARSHIP PAYMENTS**

**Authority** to approve payment to individuals:

- under a clinical placement grant program, for the cost of travel, accommodation and other costs associated with a clinical placement.
  - under a scholarship scheme, for financial assistance for an approved course of study.
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**Procedures:**

Delegates who are officers authorised to incur expenditure may approve grants for dollar amounts up to the relevant financial limits applicable to those delegates as set out in Delegation (F10, F69).

**Note:** This delegation does **not** cover financial assistance to Ministry of Health staff undertaking external courses.

**Refer:** Section 12, Public Finance and Audit Act (M)

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**DELEGATES:**

*LEVEL 1*

*LEVEL 2*

*LEVEL 3*

*ASSOCIATE DIRECTOR NURSING AND MIDWIFERY OFFICE*

**NON-GOVERNMENT ORGANISATION GRANT PROGRAM**

Authority to approve the use of surplus grant funds by non-government organisations up to the limits specified against each delegate.

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**Procedures:**

Note: NGO's, without approval of the Ministry of Health, can retain a grant surplus that is realised and identified for the project/service which is:

- \$1,000 or less for grants up to \$50,000, or
- Up to 2% of the grant up to a maximum surplus of \$10,000

Subject to the surplus being used for the currently approved project/service and identified in the subsequent accounting period as surplus grant funds brought forward.

If the surplus exceeds the abovementioned amounts application is to be made **to** a delegate listed hereunder including an explanation of how the surplus came about.

See policy directive/guidelines on "Non-Government Organisation Grant Program – Operation Guidelines".

**Refer:** Section 12 Public Finance and Audit Act 1983 (M)

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**DELEGATES:**

*DIRECTOR-GENERAL*

*DEPUTY DIRECTOR-GENERAL*

*CHIEF EXECUTIVE LOCAL HEALTH DISTRICT*

*LEVEL 3*

*\$150,000*

*LEVEL 4*

*\$100,000*

**NEW SOUTH WALES HEALTH FOUNDATION FUND**

**Authority** to pay out of the NSW Health Foundation Fund all charges, costs and expenses incurred in the administration of the NSW Health Foundation.

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**Refer** Section 19(3)(a) Health Administration Act 1982.

**Authority** for this delegation comes from the Minister under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*SECRETARY*

*CHIEF FINANCIAL OFFICER AND DEPUTY SECRETARY FINANCIAL SERVICES AND ASSET MANAGEMENT*

*DEPUTY CHIEF FINANCIAL OFFICER AND EXECUTIVE DIRECTOR SYSTEM FINANCIAL PERFORMANCE*

*EXECUTIVE DIRECTOR FINANCIAL DATA ANALYTICS, REPORTING AND GOVERNANCE*

*EXECUTIVE DIRECTOR FINANCIAL ACCOUNTING, POLICY, INSURANCE AND REVENUE*



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**ENTERING INTO FINANCIAL ARRANGEMENTS UNDER THE GOVERNMENT SECTOR FINANCE ACT**

Enter into the following types of financial arrangement for and on behalf of a NSW Health entity, where authorised under the Government Sector Employment Act:

- (a) a borrowing,
- (b) an investment,
- (c) a derivative arrangement.

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**CONDITIONS:**

1. A delegate can enter into a financial arrangement only if:
  - (a) the arrangement for the agency is authorised, and
  - (b) the terms and conditions of the authorisation are complied with (s6.22(1) of Government Sector Finance Act)
2. A financial arrangement is authorised only if:
  - (a) the arrangement is authorised or permitted by a provision of the Act, the Government Sector Finance Regulation 2018 or the Treasurer's directions, or
  - (b) the Treasurer has given a written approval (known as a "financial arrangement approval") to:
    - (i) enter into the financial arrangement, or
    - (ii) enter into financial arrangements of the same kind as the financial arrangement. (s6.22(2) of the Government Sector Finance Act)
3. Compliance with any condition or limitations contained in Directives issued by the Treasurer or the NSW Treasury.
4. Compliance with NSW Health policy directives, including as to requirements for administering financial arrangements and keeping records of financial arrangements.

**Note:**

1. A "financial arrangement" is defined in the Government Sector Finance Act to mean "*an arrangement (whether entered into or occurring in or outside of Australia) with respect to any of the following—*
  - (a) a borrowing,
  - (b) an investment,
  - (c) a derivative arrangement,
  - (d) a joint financing arrangement,
  - (e) a joint venture arrangement,
  - (f) any other arrangement (or arrangement of a kind) prescribed by the regulations as a financial arrangement."

For the avoidance of doubt, this delegation only permits a delegate to enter into a financial arrangement that is a borrowing, an investment, or a derivative arrangement, and does not extend to any other type of financial arrangement as defined under the Government Sector Finance Act.

**MINISTERS' DISCRETIONARY AD HOC GRANTS**

Authority to incur expenditure on ad hoc grants to support community-based activities.

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**Terms and conditions**

The following terms and conditions are imposed on the delegation:

1. An annual limit is established, in writing, by the Minister.
2. The delegate is not permitted to subdelegate this function.
3. This delegation is limited to the extent that the amounts paid are within the approved annual expenditure limit and also that funds are available.
4. The purpose for which grants are paid must not be inconsistent with the purposes for which the NSW Health appropriation was given, and must be directly related to the delegate's Ministerial portfolio.
5. Prior to approving a funding request, the delegate must obtain written advice from the Ministry of Health.

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**Source:** Section 5.2 Government Sector Finance Act 2018

**Authority** for this delegation comes from the Minister under Section 9.9 Government Sector Finance Act 2018

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**DELEGATES:**

*MINISTER FOR REGIONAL HEALTH*  
*MINISTER FOR MENTAL HEALTH*

**CONTRACTS FOR GOODS AND SERVICES**

**Execution and acceptance of documents** relating to contracts or agreements for the performance of services or for the supply of goods, plant, machinery or material.

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**PROCEDURES:**

**Officers authorised to incur expenditure may sign and execute contracts on behalf of the Health Administration Corporation committing funds to the limits indicated by their respective financial delegations.**

The delegates listed below have the authority to execute documents and agreements on behalf of the Health Administration Corporation, subject to an approval having previously been granted by an officer with an appropriate financial delegation.

**Refer** to Section 13(1) of the Health Administration Act 1982. (C)

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**DELEGATES:**

*LEVEL 2*

*LEVEL 3*

*LEVEL 4*

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**GOODS AND SERVICES****8.3**

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**CONSULTANCY SERVICES**

**Approval** for the procurement of consultancy services.

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**Approval is subject to:**

- the availability of funds
  - compliance with the Goods and Services Procurement Policy Manual
  - the relevant financial limit per delegate as set out in Delegation (F10, F69). (HAC)
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**DELEGATES:***LEVEL 2**LEVEL 3**LEVEL 4*

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**DELEGATION: (A96)****57(14/01/14)**

For revised finance and expenditure delegations, refer to separate document titled 'Finance and Expenditure Delegations (NEW)'.

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**GOODS AND SERVICES****8.4**

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**SALE OR LETTING OUT ON HIRE BY THE CORPORATION**

**Execution and acceptance** of documents relating to the sale or letting out on hire of any goods, plant, machinery or material, excluding real property dealings, acquired by the Corporation under the Health Administration Act 1982 or any other act.

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**PROCEDURES**

This delegation relates only to the execution of documents not the approval of the sale etc. (HAC)

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**DELEGATES:***LEVEL 2**DIRECTOR BUSINESS AND ASSET SERVICES AND CHIEF PROCUREMENT OFFICER**CHIEF FINANCIAL OFFICER**DIRECTOR HEALTH SYSTEM PLANNING AND INVESTMENT*

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**GOODS AND SERVICES****8.5**

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**TRANSFER OF ASSETS TO LOCAL HEALTH DISTRICTS AND HOSPITALS**

**Approval** to transfer, at a value assessed by the Ministry, stores, furniture, equipment (including motor vehicles) from the Ministry to Local Health Districts and the Sydney Children's Hospitals Network.

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**PROCEDURES:**

**Refer** Goods and Services Procurement Policy Manual. (DH)

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**DELEGATES:**

*DEPUTY DIRECTOR-GENERAL GOVERNANCE, WORKFORCE AND CORPORATE  
CHIEF FINANCIAL OFFICER  
FINANCIAL CONTROLLER*

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DELEGATION: (A270)

57(14/01/14)

For revised finance and expenditure delegations, refer to separate document titled 'Finance and Expenditure Delegations (NEW)'.

**DISPOSAL OF ASSETS TO CHARITABLE BODIES**

**Approval** of disposal, by way of donation to charitable bodies, of those unserviceable stores and equipment (including drugs for which the expiry date has passed).

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**PROCEDURES:**

Approval is subject to the requirement that the stores and equipment would normally have been approved for destruction or dumping as per the Goods and Services Procurement Policy Manual and Goods and Services Procurement Policy.

**Refer** Goods and Services Procurement Policy Manual. (DH)

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**DELEGATES:**

*DEPUTY DIRECTOR-GENERAL GOVERNANCE, WORKFORCE AND CORPORATE  
CHIEF FINANCIAL OFFICER  
FINANCIAL CONTROLLER  
CHIEF EXECUTIVE AMBULANCE SERVICE OF NSW*

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**GOODS AND SERVICES****8.8**

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**DISPOSAL OF UNSERVICEABLE GOODS**

**Authority** to dispose of surplus or unserviceable goods (including motor vehicles).

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**PROCEDURES:**

**Refer** Goods and Services Procurement Policy.

Motor Vehicle Acquisition and Management Practices (GL2011\_010). (DH)

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**DELEGATES:**

*DEPUTY DIRECTOR-GENERAL GOVERNANCE, WORKFORCE AND CORPORATE*

*DIRECTOR HEALTH PROFESSIONAL COUNCILS AUTHORITY*

*CHIEF FINANCIAL OFFICER*

*FINANCIAL CONTROLLER*

*EXECUTIVE DIRECTOR NSW INSTITUTE OF PSYCHIATRY*

*CHIEF EXECUTIVE AMBULANCE SERVICE OF NSW*

*GENERAL MANAGER CORPORATE SERVICES AMBULANCE SERVICE OF NSW*

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DELEGATION: (A48)

57(14/01/14)



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**GOODS AND SERVICES****8.10**

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**MOBILE COMMUNICATION DEVICES**

Approve the purchase of mobile communication devices and the installation of hands free car telephones and/or hands free kits.

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**PROCEDURES:**

Approvals are only to be given where such staff are required to have verbal contact in emergencies and/or where such equipment will enhance the performance of their duties.

**Refer** to the Premier's motor vehicle conditions and to DoH PD2009\_076 relating to the use of mobile phones. (DG)

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**DELEGATES:**

*LEVEL 2*

*LEVEL 3*

*DIRECTOR HEALTH PROFESSIONAL COUNCILS AUTHORITY*

*CHIEF EXECUTIVE (PUBLIC HEALTH ORGANISATION) OR DELEGATE*

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DELEGATION: (A219, A220)

57(14/01/14)

**NGO PERFORMANCE AGREEMENTS**

**Execution** and acceptance of funding and performance agreements with non-government organisations under the non-government organisation funding program, subject to Ministerial approval of the financial grant having been previously given.

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**PROCEDURES:**

**Refer** section 13 of the Health Administration Act 1982. (C)

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**DELEGATES:**

*DEPUTY DIRECTOR-GENERAL STRATEGY AND RESOURCES  
CHIEF FINANCIAL OFFICER  
DEPUTY CHIEF FINANCIAL OFFICER  
FINANCIAL CONTROLLER*

For revised finance and expenditure delegations, refer to separate document titled 'Finance and Expenditure Delegations (NEW)'.

**EXECUTION AGREEMENTS – STATE**

**Authority** to execute agreements, deeds and other documents for and on behalf of the State of NSW in relation to matters within the portfolio responsibility of the Minister for Health.

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**PROCEDURES:**

Exercising this delegation is subject to:

- i) the authorisation being exercised in accordance with the relevant financial delegation where applicable;
  - ii) the authorisation being exercised consistently with any relevant Government policy;
  - iii) the authorisation being exercised in accordance with any relevant Ministerial direction.  
(M)
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**DELEGATES:**

*DIRECTOR-GENERAL*

*LEVEL 2*

*LEVEL 3*

**PROCUREMENT OF LEGAL SERVICES**

**Authority** to procure legal related services without obtaining quotes or inviting tenders.

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**PROCEDURES:**

This delegation authorises the delegates to procure legal services from legal practitioners considered appropriate having regard to the nature of the matter for which the legal services are required and the practicality of obtaining quotes or tenders. This delegation is subject to the rates being charged being considered by the delegate to be competitive (market rates).

This delegation is a general exemption from the requirements of the Goods and Services Procurement Policy Manual.

**Refer** to Section 13 Health Administration Act 1982. (C)

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**DELEGATES:**

*DEPUTY DIRECTOR-GENERAL GOVERNANCE, WORKFORCE AND CORPORATE  
DIRECTOR LEGAL AND REGULATORY SERVICES AND GENERAL COUNSEL*

**INVITATION AND ACCEPTANCE OF TENDERS – HEALTH SUPPORT SERVICES**

**Authority** to approve the invitation and acceptance of tenders for the provision of health support services (goods and services) on a statewide basis for NSW Health.

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**Procedures:**

This authority includes:

- i) Approval of the projected/actual expenditure associated with the statewide tender, no matter the dollar amount;
- ii) Acceptance and execution of agreements and contracts;
- iii) Procurement of consultancy services;
- iv) In respect to providing health support services to public health organisations, approval of the undertaking of tender action without referral to Department of Finance and Services and approval of exceptions to Ministry procurement policy;

In all other circumstances, tender action is to be undertaken within the terms of NSW Health's Goods and Services Procurement accreditation and exceptions to Government and Ministry procurement policies are to be approved by the Director Business and Asset Services and Chief Procurement Officer.

Action is subject to:

- i) Compliance with the procurement policies of the Ministry of Health and NSW Government;
- ii) Availability of funds;
- iii) Where HAC is to be used as the contracting party, the following words are to be used in any agreement: "HAC is entering into this agreement in the exercise of a function of the Director-General of the NSW Ministry of Health pursuant to a determination made under section 8A of the Health Administration Act 1982."

**Refer:** Section 8A Health Administration Act 1982 (DG, HAC)  
Section 12 Public Finance and Audit Act 1983 (M)  
Section 126B Health Services Act 1997 (DG)

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**DELEGATES:**

*DIRECTOR-GENERAL*  
*DEPUTY DIRECTOR-GENERAL GOVERNANCE, WORKFORCE AND CORPORATE*  
*DIRECTOR BUSINESS AND ASSET SERVICES AND CHIEF PROCUREMENT OFFICER*  
*DEPUTY DIRECTOR COMMERCIAL AND PROCUREMENT* *1 Million*

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**OPERATING BANKING ACCOUNTS AND TRANSACTIONAL BANKING SERVICES**

Open, close or operate banking accounts for a Health agency and to enter into any other transactional banking services (including execution of any ancillary documents).

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**Conditions:**

1. Compliance with any condition or limitations contained in Directives issued by the Treasurer or the NSW Treasury.

**Notes:**

1. Delegation is made by the Secretary for any GSF Agency for which the Secretary is the accountable authority identified in Section 2.7 of the *Government Sector Finance Act (NSW) 2018*
  2. For further guidance see Section 5 Accounting Manual for NSW Ministry of Health
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**PROCEDURES:**

**Refer** Section 6.19 Government Sector Finance Act 2018  
Section 6.15(9) Government Sector Finance Act 2018  
Section 21 Health Administration Act 1982

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982

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**DELEGATES:**

*CHIEF FINANCIAL OFFICER AND DEPUTY SECRETARY FINANCIAL SERVICES AND ASSET MANAGEMENT*  
*DEPUTY CHIEF FINANCIAL OFFICER AND EXECUTIVE DIRECTOR SYSTEM FINANCIAL PERFORMANCE*  
*EXECUTIVE DIRECTOR FINANCIAL DATA ANALYTICS, REPORTING AND GOVERNANCE*  
*EXECUTIVE DIRECTOR FINANCIAL ACCOUNTING, POLICY, INSURANCE AND REVENUE*

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