

Finance and Expenditure Delegations

Combined Delegations Manual

DELEGATION MANUAL INTRODUCTION

NSW MINISTRY OF HEALTH

1. Schedule of Delegates

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

List A

List B

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)

DELEGATION MANUAL INTRODUCTION

2. Information that should be provided to Delegates

Delegated officers should be properly informed of their delegations and the obligations attached to them. Branch Executive Directors should have systems in place to ensure delegates are informed of their obligations and responsibilities when exercising delegations and made aware that:

1. It is a delegate's responsibility to remain up to date and informed of the scope and nature of their delegations;
2. Delegations are given subject to ongoing satisfactory performance and that compliance with delegations will be subject to regular auditing;
3. Delegations and dollar limits may be reduced or withdrawn at any time.

Delegated authority follows the management line and is functionally and operationally aligned. Where the *Delegation Manual* specifies a delegation to a position or a specific person, the position to which they report is also deemed to have the delegated authority unless otherwise indicated.

The monetary limits specified are the maximum delegated amounts: They do not imply or confer authority to spend more than the organisation's or unit's uncommitted budget allocation for a particular category. The monetary limits specified are the total cost regardless of the number of orders necessary for any purchase. The delegation limit applies to the total purchase, not each individual item.

The monetary limits specified are exclusive of the Goods and Services Tax.

A person acting or relieving in another position is entitled to exercise the delegations of the other position no matter the duration of the period of acting or relieving. The officer so acting or relieving does not have to be entitled to the payment of a higher duties allowance. However the officer does have to be vested with the authority, by the person so being relieved, to exercise the delegations of that person, e.g. if an officer in a more senior position is not going to be contactable for several days and indicates to a subordinate officer that they are to undertake that officer's duties.

If a manager 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.

3. Responsibilities of Delegates

- 3.1 Delegates are to exercise any powers, authorities, duties and functions delegated to them in a responsible, consistent and cost effective manner. Whether a delegation should be exercised, or the matter referred to a higher authority, requires the delegate to exercise of discretion in each case.
- 3.2 Delegates must act in accordance with any conditions imposed on the relevant delegation and consistent with NSW Government and NSW Health policies;
- 3.3 Delegates are responsible for knowing the content and level of their delegation and for keeping up to date on any changes to the delegations arising from changes in law, NSW Government or NSW Health policy or revisions of delegations or other directions issued;
- 3.4 Delegates shall only exercise delegations in relation to their own areas of administrative or operational responsibility and cost centres relevant to their position and will not approve matters for an officer over whom they have no responsibility;

DELEGATION MANUAL INTRODUCTION

- 3.5 When signing, delegates should indicate under which delegation number the authority is being exercised;
- 3.6 Where exercising a non-financial delegation, delegates must verify that the requests are valid and appropriate and ensure diligence when exercising their authority;
- 3.7 When approving expenditure a delegate must:-
- Consider the dollar limit of their delegation for the category of expenditure;
 - Satisfy themselves that funds are available, within existing budget, to meet any expense being approved under delegation;
 - Consider any additional costs that will result from the expenditure, including for example direct recurrent costs, indirect operating costs, life cycle and future replacement costs, and any other associated expenses or matters that would impact on the financial management and performance of the organisation;
 - Obtain any necessary additional approvals, eg if expenditure variations outside expected budget are expected to arise,
- 3.8 When approving expenditure a delegate must not split items/orders to bring them within any limit of their position's delegation and administrative responsibility. The dollar amounts specified in the *Delegations Manual* relates to the total cost of any project regardless of the number of orders necessary;
- 3.9 Delegated officers are to sign (or personally authorise through appropriate e-systems) all requisitions, orders, contracts, documents etc with their position title, as that title is set out in the *Delegations Manual*. Where the officer is acting or relieving in a position, they should also indicate their "acting" role;
- 3.10 Delegates may not sub-delegate any authority conferred on them by the *Delegations Manual* to any other officer unless set out in the conditions of a delegation;
- 3.11 Delegates must not approve "self related matters" or matters that raise potential probity issues in relation to the exercise of the delegation. For example a delegate:-
- Must not authorise their own expenditure or expenditure reimbursement, certify their own time sheet or authorise their own higher duty allowance, overtime, or annual/long service leave;
 - Must not approve any expenditure in relation to a matter where they have a pecuniary interest, or where there is a real, potential or perceived conflict of interest;
 - Must not write-off stock or dispose of stock to themselves or to others (family, friends, colleagues) where there could be a real, potential or perceived pecuniary interest or conflict of interest;

The authorising person for these and similar matters shall be a more senior officer or another officer as approved in writing by the Secretary.

- 3.12 Contractors/consultants cannot exercise financial or staff delegations of a position against which they are held. Financial and staff delegations can only be exercised by officers of the organisation who are appropriately delegated. Separate provisions allow delegation of financial matters to employees of the NSW Health Service.

DELEGATION MANUAL INTRODUCTION

4. Delegation Format

Each delegation is identified by its own distinct number with the alpha prefix denoting the functional area of the delegation, viz.:

F - Finance and Expenditure

Delegations appear in the following format when prepared for formal approval.

TITLE OF DELEGATION: Delegation topic

Delegation No: Unique number

Delegator: ie: Minister OR Secretary OR Secretary as Health Administration Corporation

Source: statutory or regulatory source of the function being delegated, ie: section 27 of the Government Sector Employment Act 2013.

Part 1: Power/Function Delegated: List of each function being delegated. Each item/function/power should stand alone, and not contain conditions, restrictions or commentary – any conditions or restrictions are addressed in Part 3

Part 2: Delegates: List of Delegates and limits where applicable.

Part 3: Conditions: Sets the specific conditions imposed on the exercise of the delegation.

Part 4: Notes: Provides relevant references or information for a delegate to note.

Version Control: Represents the version number and date the version was approved. The Delegation number of any delegation the version replaces.

FINANCE & EXPENDITURE

EXPENDITURE ON GOODS AND SERVICES – standard limits

Delegation No: F1

Delegator: Minister

Source: Section 5.2 Government Sector Finance Act 2018
Section 9.9 Government Sector Finance Act 2018

Part 1: Power/Function Delegated

Expenditure on goods and services, including consultancy services, for the day to day operation of the Ministry of Health (including a Ministry of Health Division or Branch).

Part 2A: Delegates

SECRETARY	5,000,000
LEVEL 2	1,000,000
LEVEL 3	250,000

Part 2B: Delegates - refer condition 5 to vary financial limit

LEVEL 4	100,000
LEVEL 5	50,000

Part 2C: Delegates – refer condition 4 for prepayments/payments in advance

SECRETARY

DEPUTY SECRETARY FINANCIAL SERVICES AND ASSET MANAGEMENT AND CHIEF FINANCIAL OFFICER

EXECUTIVE DIRECTOR SYSTEM FINANCIAL PERFORMANCE AND DEPUTY CHIEF FINANCIAL OFFICER

Part 3: Conditions

1. This delegation is limited to the extent that amounts paid are within the approved annual expenditure budget and also that funds are available.
2. In any financial year, delegates must not approve total expenditure on identical or similar goods and services from the same supplier that exceeds the limit specified in Part 2.
3. All professional services engagements, including consultants, over \$30,000 are also to be approved by the Chief Procurement Officer. For the avoidance of doubt, professional services does not include legal services, which are subject to separate arrangements.
4. Only delegates listed in Part 2C may approve a payment in advance / prepayment, up to the value of the limits delegated in Part 2A.
5. A Level 3 delegate may vary the financial limit of the delegation for Level 4 and 5 delegates reporting directly or indirectly to them, subject to:
 - (a) The variation must be in writing and a copy of the variation must be lodged with the Corporate Governance and Risk Management Unit before it is considered effective.
 - (b) Variation by way of increase can only be up to the financial limit of the Level 3 delegate.
6. Compliance with NSW Health Procurement (Goods and Services) Policy Directive PD2023_028 as issued from time to time.

Part 4: Notes

1. The financial limit for delegation applies to all delegations unless an alternative financial limit is specified.
2. Refer to delegation F2 for non-standard limit expenditure.
3. This delegation applies to expenditure on goods and services only. This delegation should not be used for grants, donations or scholarship payments.
4. For delegated authority to execute a contract for goods and services on behalf of the Health Administration Corporation, see Delegation F6.

Version Control V01
Last updated (01/04/2024)
Old ref merges F5, (F10, F69), A96, (A219, A220), F85

FINANCE & EXPENDITURE

EXPENDITURE ON GOODS AND SERVICES – non- standard limits

Delegation No: F2

Delegator: Minister

Source: Section 5.2 Government Sector Finance Act 2018
Section 9.9 Government Sector Finance Act 2018

Part 1: Power/Function Delegated

Expenditure related to:

1. Essential services and related expenses (this is limited to payments for, and associated with, regular/periodic payments such as rent and utilities including electricity, gas, water and telephone)
2. Immunisation Program
3. Services provided by the Secretary under section 126B of the *Health Services Act 1997* being services to support the public health system and public health organisations and the public hospitals they control, or to enable the co-ordinated provision of health services involving more than one public health organisation or on a State-wide basis

Part 2A: Delegates – All points

SECRETARY

LEVEL 2

Part 2B: Delegates – Point 1 only

CHIEF PROCUREMENT OFFICER

EXECUTIVE DIRECTOR SYSTEM FINANCIAL PERFORMANCE AND DEPUTY CHIEF FINANCIAL OFFICER

Part 2C: Delegates – Point 2 only

EXECUTIVE DIRECTOR HEALTH PROTECTION NSW

Part 2D: Delegates – Point 3 only

EXECUTIVE DIRECTOR SYSTEM FINANCIAL PERFORMANCE AND DEPUTY CHIEF FINANCIAL OFFICER

Part 3: Conditions

1. This delegation is limited to the extent that the amounts paid are within the approved annual expenditure budget and also that funds are available.
2. All professional services engagements over \$30,000 are also to be approved by the Chief Procurement Officer. For the avoidance of doubt, professional services does not include legal services, which are subject to separate arrangements.
3. A prepayment / payment in advance may be approved as per condition 4 in Delegation F1.
4. Compliance with NSW Health Procurement (Goods and Services) Policy Directive PD2023_028, as issued from time to time.

Part 4: Notes

5. Refer to delegation F1 for standard limit expenditure
6. This delegation should not be used for grants, donations or scholarship payments.

FINANCE & EXPENDITURE

LEGAL SERVICES – PROCUREMENT AND EXPENDITURE

Delegation No: F3

- Delegator:**
1. Minister
 2. Secretary as Health Administration Corporation

Source: Section 5.2 Government Sector Finance Act 2018 (Delegation by Minister)
Section 9.9 Government Sector Finance Act 2018 (Delegation by Minister)
Section 9.11 Government Sector Finance Act 2018 (Delegation by HAC as an accountable authority)

Part 1: Power/Function Delegated:

1. Incur expenditure on legal proceedings including engagement of legal representation and settlement of cases for and on behalf of the Ministry, Health Administration Corporation, Minister and the NSW Public Health System, with no limit.
2. Procure legal services without obtaining quotes or inviting tenders.

Part 2: Delegates

SECRETARY

DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE

EXECUTIVE DIRECTOR LEGAL AND REGULATORY SERVICES AND GENERAL COUNSEL

Part 3: Conditions

Delegate must have regard to:

- (a) the nature of the matter for which the legal services are required;
- (b) the practicality of obtaining quotes or tenders;
- (c) the availability of the services through Whole of Government Legal Panels, including any requirements for engaging services off-panel;
- (d) Market rates; and
- (e) Any applicable whole of Government policies, including Premier's Memorandum 2016-04 NSW Government Core Legal Work Guidelines and Premier's Circular 2019-06 Briefing Senior Counsel.

Part 4: Notes

1. This delegation is a general exemption from the requirements of the NSW Health Procurement (Goods and Services) Policy Directive PD2023_028 as issued from time to time.

Version Control V01
Last updated (01/04/2024)
Old ref merges F79 and A342

FINANCE & EXPENDITURE

EXPENDITURE ON GOODS AND SERVICES – Standard limits – Health Professional Councils Authority

Delegation No: F4

Delegator: Secretary as Health Administration Corporation

Source: Sections 13A and 21 Health Administration Act 1982
Section 9.11 Government Sector Finance Act 2018

Part 1: Power/Function Delegated

Expenditure on goods and services for the day to day operation of the Health Professional Councils Authority.

Part 2: Delegates

<i>DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE</i>	<i>1,000,000</i>
<i>EXECUTIVE DIRECTOR LEGAL AND REGULATORY SERVICES AND GENERAL COUNSEL</i>	<i>500,000</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>

Part 3: Conditions on Delegation

1. This delegation is limited to the extent that the amounts paid are within the approved annual expenditure budget and also that funds are available.
2. In any financial year, delegates must not approve total expenditure on identical or similar goods and services from the same supplier that exceeds the limit specified in Part 2.
3. All consultancy engagements over \$30,000 are also to be approved by the Chief Procurement Officer for NSW Health. For the avoidance of doubt, professional services does not include legal services, which are subject to separate arrangements.
4. Compliance with NSW Health Procurement (Goods and Services) Policy Directive PD2023_028 as issued from time to time.

Part 4: Notes

Refer to delegation F5 for non-standard limit expenditure.

Version Control V01
Last updated (01/04/2024)
Old ref F109

FINANCE & EXPENDITURE

EXPENDITURE ON GOODS AND SERVICES – non-standard limits – Health Professional Councils Authority

Delegation No: F5

Delegator: Secretary as Health Administration Corporation

Source: Sections 13A and 21 Health Administration Act 1982
Section 9.11 Government Sector Finance Act 2018

Part 1: Power/Function Delegated:

Expenditure on goods and services related to:

1. Essential services and related expenses (this is limited to payments for, and associated with, regular/periodic payments such as rent and utilities including electricity, gas, water and telephone) and New South Wales Civil and Administrative Tribunal (NCAT) costs

Part 2: Delegates

DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE

EXECUTIVE DIRECTOR LEGAL AND REGULATORY SERVICES AND GENERAL COUNSEL

DIRECTOR HEALTH PROFESSIONAL COUNCILS AUTHORITY

Part 3: Conditions on Delegation

1. This delegation is limited to the extent that the amounts paid are within the approved annual expenditure budget and also that funds are available.
2. Compliance with NSW Health Procurement (Goods and Services) Policy Directive PD2023_028 as issued from time to time.
3. All professional services engagements, including consultancies, over \$30,000 are also to be approved by the Chief Procurement Officer for NSW Health. For the avoidance of doubt, professional services does not include legal services, which are subject to separate arrangements.

Part 4: Notes

Refer to delegation F4 for standard limit expenditure.

Version Control V01
Last updated (01/04/2024)
Old ref F109

FINANCE & EXPENDITURE

EXECUTION OF CONTRACTS - GOODS AND SERVICES

Delegation No: F6

Delegator: Secretary as Health Administration Corporation

Source: Sections 13(1) and 21 Health Administration Act 1982

Part 1: Power/Function Delegated

1. Execute contracts, agreements, deeds and other documents for the performance of services or for the supply of goods, plant, machinery or material.
2. Vary or extend a contract outside the scope of the original request statement of requirements and / or the contract's terms and conditions with no change to price.

Part 2: Delegates

LEVEL 2

LEVEL 3

LEVEL 4

LEVEL 5 (see condition 3)

Part 3: Conditions

1. This delegation is limited to the execution of contracts for goods and services. Prior to execution of a contract, authorisation to commit to expenditure on goods and services must be given in accordance with conditions 2 and 3 below.
2. Levels 2, 3 and 4 delegates capacity to commit funds under a contract is restricted to:
 - (a) Amounts within the limits of their financial delegation as set out under Delegations F1 to F5, as applicable; or
 - (b) Amounts that have been separately approved by Cabinet, the Minister, Secretary or other officer with the requisite delegation under Delegations F1 to F5, as applicable.
3. Level 5 delegates are limited to executing contracts and agreements within the limits of their financial delegation as set out under Delegation F1 (including any variation approved under that Delegation).

Part 4: Notes

1. This delegation applies only for execution of goods and services contracts. For delegation to execute grant agreements – see F12.

Version Control V01
Last updated (01/04/2024)
Old ref merges A1 and A334

FINANCE & EXPENDITURE

INVITE AND ACCEPT TENDERS FOR STATEWIDE SERVICES PROVIDED BY THE SECRETARY

Delegation No: F7

Delegator: Secretary

Source: Section 8A Health Administration Act 1982 (Secretary functions through HAC)
Section 126B Health Services Act 1997 (services)
Section 21 Health Administration Act 1982 (Delegation by Secretary)

Part 1: Power/Function Delegated

Approve the invitation and acceptance of tenders for the provision of services provided by the Secretary on a statewide basis for NSW Health, including:

1. Acceptance and execution of agreements and contracts;
2. In respect to providing services to public health organisations, approval to progress a tender without referral to the NSW Treasury (NSW Procurement) up to the value of Health Administration Corporation's accreditation.
3. Approval of exceptions to NSW Health Procurement (Goods and Services) Policy Directive PD2023_028.

Part 2A: Delegates - Point 1 & 2

LEVEL 2

CHIEF PROCUREMENT OFFICER

Part 2B: Delegates - Point 3 only

CHIEF PROCUREMENT OFFICER

Part 3: Conditions

1. Approval of projected/actual expenditure associated with the tender must be given under Delegation F2.
2. Subject to any exception approved by the Chief Procurement Officer, there must be compliance with NSW Health Procurement (Goods and Services) Policy Directive PD2023_028 as issued from time to time and all NSW Procurement Board directions and policies, including the NSW Government Procurement Policy Framework.
3. Where the Health Administration Corporation is the contracting party, it must be described in the Agreement as: "HAC is entering into this agreement in the exercise of a function of the Secretary of the NSW Ministry of Health pursuant to a determination made under section 8A of the Health Administration Act 1982."

Part 4: Notes

1. For HealthShare NSW, eHealth NSW, NSW Health Pathology, and Health Infrastructure refer to the individual entity's delegations manual.
2. This delegation includes ancillary services such as consultancy services where they are associated with statewide services provided by the Secretary.
3. All professional services engagements, including consultants, over \$30,000 are also to be approved by the Chief Procurement Officer. For the avoidance of doubt, professional services does not include legal services, which are subject to separate arrangements.

Version Control V01
Last updated 01/04/2024)
Old ref A346

FINANCE & EXPENDITURE

NSW TREASURY MANAGED FUND

Delegation No: F8

Delegator: Minister

Source: Section 9.9 Government Sector Finance Act 2018
Section 21 Health Administration Act 1982

Part 1: Power/Function Delegated:

Approve renewal payment of the annual NSW Treasury Managed Fund deposit premiums.

Part 2: Delegates

SECRETARY

DEPUTY SECRETARY FINANCIAL SERVICES AND ASSET MANAGEMENT AND CHIEF
FINANCIAL OFFICER

EXECUTIVE DIRECTOR SYSTEM FINANCIAL PERFORMANCE AND DEPUTY CHIEF FINANCIAL
OFFICER

Part 3: Conditions

Nil

Part 4: Notes

Nil

Version Control V01
Last updated (01/04/2024)
Old ref F34

FINANCE & EXPENDITURE

GRANTS – RECRUITMENT AND SCHOLARSHIP

Delegation No: F9

Delegator: Minister (approval of grants)

Source: Section 5.2 Government Sector Finance Act 2018
Section 9.9 Government Sector Finance Act 2018

Part 1: Power/Function Delegated

Approve grants for the following purposes:

1. Travel, accommodation and removal costs for people recruited from overseas and interstate
2. Financial assistance for individuals under a scholarship scheme and/or an approved course of study.

Part 2: Delegates

SECRETARY

LEVEL 2

LEVEL 3

MANAGER NURSING AND MIDWIFERY OFFICE

Part 3: Conditions

1. Expenditure limited to the delegate's financial limits applying to expenditure on goods and services under Delegation F1.

Part 4: Notes

1. The grant must comply with section 10.3A of the Government Sector Finance Act 2018 and the *NSW Grants Administration Guide* (as issued September 2022 and amended from time to time).
2. For execution of funding agreements and subsequent payments, refer to Delegation F12

Version Control V01
Last updated (01/04/2024)
Merges F39, F106, F107

FINANCE & EXPENDITURE

GRANTS - MARKET RENTAL ASSISTANCE

Delegation No: F10

Delegator: Minister

Source: Section 5.2 Government Sector Finance Act 2018
Section 9.9 Government Sector Finance Act 2018

Part 1: Power/Function Delegated:

Approve grants for rent or lease of properties owned by the Ministry of Health on behalf of the Crown, the Health Administration Corporation or a public health organisation.

Part 2: Delegates:

SECRETARY

DEPUTY SECRETARY FINANCIAL SERVICES AND ASSET MANAGEMENT AND CHIEF FINANCIAL OFFICER

CHIEF PROCUREMENT OFFICER

Part 3: Conditions

1. Grants must be consistent with NSW Treasury policy (as amended from time to time) in relation to charging of market rental for organisations that comprise non-government organisations (NGOs) and other philanthropic or charitable organisations (providing not for profit health services).
2. Any arrangements relating to new assets require approval of the Chief Financial Officer prior to approval of grant.

Part 4: Notes

1. The grant must comply with section 10.3A of the Government Sector Finance Act 2018 and the NSW *Grants Administration Guide* (as issued September 2022 and amended from time to time).
2. For further guidance see NSW Health Policy Directive (PD2010_038) *Accommodation – Health Owned – Consideration of Rental/Market Rental Assistance Grant*.

Version Control V01
Last updated (01/04/2024)
Old ref (F105)

FINANCE & EXPENDITURE

GRANTS – PROGRAM GRANTS AND AD HOC FUNDING REQUESTS

Delegation No: F11

Delegator: Minister

Source: Section 5.2 Government Sector Finance Act 2018
Section 9.9 Government Sector Finance Act 2018

Part 1: Power/Function Delegated

Authority to approve:

1. program grants - generally for state-wide, whole-of-health programs with payment to non-government organisations and other government agencies
2. ad hoc requests – generally one-off grants to persons/organisations external to NSW Health.

Part 2A: Delegates – Point 1 only

SECRETARY	\$500,000
LEVEL 2	\$400,000
LEVEL 3	\$100,000
LEVEL 4	\$75,000

Part 2A: Delegates – Point 2 only

SECRETARY	\$100,000
LEVEL 2	\$100,000
CHIEF EXECUTIVE, LOCAL HEALTH DISTRICT	\$100,000
CHIEF EXECUTIVE, SPECIALTY HEALTH NETWORK	\$100,000
CHIEF EXECUTIVE, AMBULANCE SERVICE OF NSW	\$100,000

Part 3: Conditions

1. Compliance with Ministry of Health policy directives on administration of NSW Health grant funding as issued and amended from time to time.

Part 4: Notes

1. Ad hoc/One-off grants of more than \$100,000 require approval by the Minister for Health.
2. The grant must comply with section 10.3A of the *Government Sector Finance Act 2018* and the *NSW Grants Administration Guide* (as issued September 2022 and amended from time to time).
3. This delegation only applies to grants and cannot be used for the procurement or purchase of services. Any procurement or purchase must comply with the relevant delegations and NSW Health Procurement (Goods and Services) Policy Directive PD2023_028 as issued from time to time.
4. This delegation does not apply to Ministerially approved grants under the NGO Grants Program as defined in the NSW Health Policy Directive *Administration of NSW Health Grant Funding for Non-Government Organisations* (as amended from time to time). Authority to approve grants under that program has not been delegated by the Minister.
5. The accumulative value of the grant agreement should be considered when determining a delegate's limit.
6. For execution of funding agreements and subsequent payments, refer to delegation F12.

Version Control V01
Last updated (01/04/2024)
Merges A333 & F89

FINANCE & EXPENDITURE

GRANTS – EXECUTION OF AGREEMENTS AND PAYMENTS

Delegation No: F12

Delegator: Minister (authority to make payments)
Secretary as Health Administration Corporation (authority to execute agreements)

Source: Section 5.2 Government Sector Finance Act 2018
Section 9.9 Government Sector Finance Act 2018
Sections 13(1) and 21 Health Administration Act 1982

Part 1: Power/Function Delegated

Authority to

1. execute grant agreements on behalf of the Health Administration Corporation
2. make grant payments in accordance with an executed grant agreement.

Part 2A: Delegates (Point 1)

LEVEL 2

LEVEL 3

Part 2B: Delegates (Point 2)

SECRETARY

LEVEL 2

LEVEL 3

LEVEL 4

Part 3: Conditions

1. Delegates have authority to execute agreements and approve payments in accordance with the agreement subject to grant approvals having previously been granted by the Minister or an officer with an appropriate financial delegation.
2. Payments are subject to funds being available and compliance with any conditions of the grant.

Part 4: Notes

1. This delegation applies to all grant types, including Ministerially approved grants under the Non Government Organisation (NGO) Grant program, Program Grants, Ad Hoc Grants, Recruitment and Scholarship Grants
2. This delegation F12 is to be relied upon exclusively for the execution of funding agreements and making of grant payments. Ministry branches are not to seek delegation from the Minister for the execution of funding agreements and making of grant payments as part of any brief to the Minister seeking approval for a grant.

Version Control V01
Last updated (01/04/2024)
NEW

FINANCE & EXPENDITURE

GRANTS – USE OF UNSPENT OR RESIDUAL GRANT FUNDS

Delegation No: F13

Delegator: Minister

Source: Section 5.2 Government Sector Finance Act 2018
Section 9.9 Government Sector Finance Act 2018

Part 1: Power/Function Delegated

Authority to approve the use of unspent or residual funds by funding recipient, where the funds form part of a grant approved by the Minister or delegate.

Part 2A: Delegates

SECRETARY

LEVEL 2

CHIEF EXECUTIVE LOCAL HEALTH DISTRICT

LEVEL 3

\$150,000

LEVEL 4

\$100,000

Part 3: Conditions

1. Delegates authority to approve use of unspent or residual funds is limited to the amount (if any) specified in Part 2A.
2. Grant recipients must make an application to a delegate to retain unspent or residual funds. The application must include an explanation of how the surplus came about.
3. Approvals for any grant (whether or not a Ministerially approved grant) can only occur in accordance with the policy guidelines in the NSW Health Policy Directive *Administration of NSW Health Grant Funding for Non-Government Organisations* as issued from time to time.

Part 4: Notes

NIL

Version Control V01
Last updated 01/04/2024)
Replaced F110

FINANCE & EXPENDITURE

CONTRACTS FOR SALE/HIRE OF GOODS, PLANT etc.

Delegation No: F14

Delegator: Secretary as Health Administration Corporation

Source: Sections 13(3) and 21 Health Administration Act 1982

Part 1: Power/Function Delegated

Execute and accept 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.

Part 2: Delegates

DEPUTY SECRETARY FINANCIAL SERVICES AND ASSET MANAGEMENT AND CHIEF FINANCIAL OFFICER

CHIEF PROCUREMENT OFFICER

EXECUTIVE DIRECTOR STRATEGIC REFORM AND PLANNING

Part 3: Conditions

Confined to the execution of documents and does not authorise approval of the sale or letting out on hire, which has not been delegated by the Health Administration Corporation.

Part 4: Notes

Nil

Version Control V01
Last updated (01/04/2024)
Old ref A2

FINANCE & EXPENDITURE

DISPOSAL OF SURPLUS OR UNSERVICEABLE GOODS (INCLUDING DONATIONS OR GIFTS OF GOVERNMENT PROPERTY)

Delegation No: F15

Delegator: Secretary

Source: NSW Health Procurement (Goods and Services) Policy Directive PD2023_028
Section 21 Health Administration Act 1982

Part 1: Power/Function Delegated:

Disposal of surplus or unserviceable goods (including motor vehicles), to the value specified in Part 2 of this Delegation (for donations or gifts of government property – see Condition 3)

Part 2: Delegates

<i>DEPUTY SECRETARY FINANCIAL SERVICES AND ASSET MANAGEMENT AND CHIEF FINANCIAL OFFICER</i>	<i>\$5,000,000</i>
<i>EXECUTIVE DIRECTOR SYSTEM FINANCIAL PERFORMANCE AND DEPUTY CHIEF FINANCIAL OFFICER</i>	<i>\$100,000</i>
<i>CHIEF PROCUREMENT OFFICER</i>	<i>\$100,000</i>
<i>FINANCIAL CONTROLLER</i>	<i>\$10,000</i>
<i>DIRECTOR HEALTH PROFESSIONAL COUNCILS AUTHORITY</i>	<i>\$10,000</i>
<i>CHIEF EXECUTIVE AMBULANCE SERVICE OF NSW</i>	<i>\$5,000,000</i>

Part 3: Conditions

1. Compliance with:
 - (a) NSW Health Procurement (Goods and Services) Policy Directive PD2023_028) as issued from time to time; and
 - (b) Motor Vehicle Acquisition and Management Practices Guideline (GL2011_010).
2. Ministry Branches must also notify the Financial Controller of the disposal decision for goods with a fair value over \$10,000 for financial reporting purposes.
3. If disposal of property by way of a donation or gift of the property to a third party is proposed, section 5.6 of the Government Sector Finance Act must be complied with. Donations or gifts of government property, where the asset has a fair value of \$500 or more, will generally require authorisation from the Treasurer prior to donation or gifting. The Financial Reporting team (MOH-HealthFinReporting@health.nsw.gov.au) will facilitate the approval process once approval is provided by delegates.

Part 4: Notes

Nil

Version Control V01
Last updated (01/04/2024)
Merges A48 and A264

FINANCE & EXPENDITURE

TRANSFER OF ASSETS TO LOCAL HEALTH DISTRICTS AND STATUTORY HEALTH CORPORATIONS

Delegation No: F16

Delegator: Secretary

Source: NSW Health Procurement (Goods and Services) Policy Directive PD2023_028
Section 21 Health Administration Act 1982

Part 1: Power/Function Delegated

Transfer (at a value determined by the delegate) of stores, furniture, equipment (including motor vehicles) from the Ministry to Local Health Districts and Statutory Health Corporations.

Part 2: Delegates

DEPUTY SECRETARY FINANCIAL SERVICES AND ASSET MANAGEMENT AND CHIEF FINANCIAL OFFICER

EXECUTIVE DIRECTOR SYSTEM FINANCIAL PERFORMANCE AND DEPUTY CHIEF FINANCIAL OFFICER

Part 3: Conditions

Nil

Part 4: Notes

Nil

Version Control V01
Last updated (01/04/2024)
Old ref A270

EXECUTION OF AGREEMENTS – STATE

Delegation No: F17

Delegator: Minister

Source: Ministerial Authorisation [date to be inserted following approval by the Minister]

Part 1: Power/Function Authorised

1. 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.

Part 2: Authorised persons

SECRETARY

LEVEL 2

LEVEL 3

Part 3: Conditions

1. An authorised person is to consult with the Minister for Health prior to executing an agreement under this authorisation.
2. This authorisation is limited to the extent that the agreements, deeds and other documents executed are within the approved annual expenditure budget including multiple purchases with the same supplier for the same or similar goods and/or services and also that funds are available.
3. An authorised person's capacity to commit funds under a contract is restricted to:
 - (a) Amounts within the limits of their financial delegation as set out under Delegation F1 and Delegation F2, as applicable; or
 - (b) Amounts that have been separately approved by Cabinet, the Minister, Secretary or other officer with the requisite delegation under Delegation F1.
4. This authorisation must be:
 - (a) Exercised consistently with any relevant Government policy; or
 - (b) Exercised in accordance with any relevant Ministerial direction.

Part 4: Notes

Nil

Version Control V01
Last updated (01/04/2024)
Old ref A339

FINANCE & EXPENDITURE

EXECUTE AGREEMENTS OR CONTRACTS FOR THE PROVISION OF SERVICES TO PERSONS OTHER THAN PUBLIC HEALTH ORGANISATIONS

Delegation No: F18

Delegator: Secretary as Health Administration Corporation

Source: Section 126B(2) and 126B(4) Health Services Act 1997

Part 1: Power/Function Delegated

Authority to make and enter into agreements or contracts on behalf of the Health Administration Corporation for the provision of services by the Corporation to a person other than a public health organisation.

Part 2: Delegates

LEVEL 2

Part 3: Conditions

1. This delegation is limited to making and entering into an agreement or contract with the Commonwealth of Australia, as represented by the Department of Health and Aged Care, for the provision of services by the Corporation to the Commonwealth.
2. This delegation includes renewal and extension of any existing agreement or contract.

Part 4: Notes

1. Approval must be obtained from the Minister of Health prior to the agreement or contract being made or entered into (see section 126B(2) of the *Health Services Act 1997*).
2. For authority to execute contracts or agreements on behalf of the Health Administration Corporation for the performance of services or for the supply of goods, plant, machinery, or material, see delegation F6.

Version Control V01
Last updated (01/04/2024)
NEW

FINANCE & EXPENDITURE

ACT OF GRACE PAYMENT

Delegation No: F19

Delegator: Minister for Health

Source: Section 5.7 Government Sector Finance Act 2018 (NSW)
Section 9.9 Government Sector Finance Act 2018 (NSW)

Part 1: Power/Function Delegated

Authorise an act of grace payment in accordance with section 5.7(1) of the *Government Sector Finance Act 2018* (NSW).

Part 2a: Delegates (Limited to Conditions 1 & 3)

SECRETARY

DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE

Part 2b: Delegates (Limited to Conditions 2 & 3)

CHIEF EXECUTIVE LOCAL HEALTH DISTRICT

CHIEF EXECUTIVE, SPECIALTY HEALTH NETWORK

Part 3: Conditions

1. Limited to circumstances where a member of the NSW Health Service has been suspended after being charged with having committed a serious criminal offence and their salary is withheld in accordance with section 120A of the Health Services Act, where the charge against the staff member is finalised without conviction, and the staff member seeks payment of salary that has been withheld.
2. Limited to circumstances where the Chief Executive is approving financial aid to impoverished families to provide financial assistance after a funeral has been performed under the *Destitute Burials Policy Directive (PD2008_012)* as issued from time to time.
3. The delegate must be satisfied that there are special circumstances or circumstances of a kind prescribed by the regulations under the Government Sector Finance Act 2018, and make a record of the circumstances relied on.

Part 4: Notes

Ministry of Health Finance must be notified of any act of grace payments made in accordance with this delegation, via email to MOH-HealthFinReporting@health.nsw.gov.au, for inclusion on the Statutory Act of Grace payments register.

Version Control V01
Last updated (01/04/2024)
Merges F91 and GSF002

FINANCE & EXPENDITURE

MINISTERS' DISCRETIONARY AD HOC GRANTS

Delegation No: F20

Delegator: Minister

Source: Section 5.2 Government Sector Finance Act 2018
Section 9.9 Government Sector Finance Act 2018

Part 1: Power/Function Delegated

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

Part 2: Delegates

MINISTER FOR REGIONAL HEALTH

MINISTER FOR MENTAL HEALTH

Part 3: Conditions

The following terms and conditions are imposed on the delegation:

1. An annual funding limit applicable to each delegate, up to which a delegate may approve grants in accordance with this delegation over each one year period, is established in writing by the Minister for Health.
2. This delegation is limited to the extent that the amounts paid are within the approved annual expenditure limit in condition 1, and also that funds are available.
3. 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.
4. Prior to approving a funding request, the delegate must obtain written advice from the Ministry of Health.

Part 4: Notes

1. The grant must comply with section 10.3A of the Government Sector Finance Act 2018 and the *NSW Grants Administration Guide* (as issued September 2022 and amended from time to time).

Version Control V01
Last updated (01/04/2024)
Old ref F114

FINANCE & EXPENDITURE

NEW SOUTH WALES HEALTH FOUNDATION FUND

Delegation No: F21

Delegator: Minister

Source: Sections 19(3)(a) Health Administration Act 1982
Section 21 Health Administration Act 1982

Part 1: Power/Function Delegated

Payment from the NSW Health Foundation Fund for charges, costs and expenses incurred in the administration of the NSW Health Foundation.

Part 2: Delegates

SECRETARY

DEPUTY SECRETARY FINANCIAL SERVICES AND ASSET MANAGEMENT AND CHIEF FINANCIAL OFFICER

EXECUTIVE DIRECTOR SYSTEM FINANCIAL PERFORMANCE AND DEPUTY CHIEF FINANCIAL OFFICER

EXECUTIVE DIRECTOR FINANCIAL ACCOUNTING, POLICY, INSURANCE AND REVENUE

Part 3: Conditions

Nil

Part 4: Notes

Nil

Version Control V01
Last updated (01/04/2024)
Old ref F111

FINANCE & EXPENDITURE

AMBULANCE SERVICE RESEARCH FUND

Delegation No: F22

Delegator: Minister

Source: Sections 19(3)(a) Health Administration Act 1982
Section 21 Health Administration Act 1982

Part 1: Power/Function Delegated

Determine the amount and purpose of sums to be paid from the Ambulance Service Research Fund.

Part 2: Delegates

SECRETARY

DEPUTY SECRETARY FINANCIAL SERVICES AND ASSET MANAGEMENT AND CHIEF FINANCIAL OFFICER

EXECUTIVE DIRECTOR SYSTEM FINANCIAL PERFORMANCE AND DEPUTY CHIEF FINANCIAL OFFICER

EXECUTIVE DIRECTOR FINANCIAL ACCOUNTING, POLICY, INSURANCE AND REVENUE

Part 3: Conditions

1. In making a determination, the delegate must consider advice from the Advisory Panel (see note below).
2. Payments from the Fund can only be for the purpose of 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.

Part 4: Notes

1. The Ambulance Service Research Fund was established in 2007 by the then Minister for Health as part of the NSW Health Foundation Fund.
2. The instrument establishing the Fund provides for an Advisory Panel to provide advice and recommendations. The Panel is to be made up of Ministry and Ambulance Service of NSW representatives and independent persons.

Version Control V01
Last updated (01/04/2024)
Old ref F104

FINANCE & EXPENDITURE

SUBSIDIES FOR LOCAL HEALTH DISTRICTS AND STATUTORY HEALTH CORPORATIONS

Delegation No: F23

Delegator: Minister

Source: Sections 127(3A), 127(4) and 127A Health Services Act 1997
Section 21 Health Administration Act 1982

Part 1: Power/Function Delegated

1. Vary a determination of subsidy to a local health district or statutory health corporation.
2. Attach or vary conditions associated with a subsidy (or part thereof) to a public health organisation.
3. Determine that payment of the whole or any part of an amount of subsidy payable under section 127 Health Services Act 1997 in a financial year is to be deferred until a subsequent financial year.

Part 2: Delegates

SECRETARY

DEPUTY SECRETARY FINANCIAL SERVICES AND ASSET MANAGEMENT AND CHIEF FINANCIAL OFFICER

EXECUTIVE DIRECTOR SYSTEM FINANCIAL PERFORMANCE AND DEPUTY CHIEF FINANCIAL OFFICER

Part 3: Conditions

The power to vary a subsidy only permits a variation by way of an increase in the subsidy, and not a reduction.

Part 4: Notes

1. The initial determination of subsidy is made by the Minister under section 127(3) Health Services Act 1997, following the recommendation of the Secretary under s122(1)(e) Health Services Act 1997.
2. Section 21A of the *Cancer Institute (NSW) Act 2003* states that Chapter 10 (Administration of the public health system) of the *Health Services Act 1997* extends to the Cancer Institute as if it were a statutory health corporation.

Version Control V01
Last updated (01/04/2024)
Merges F46, F52, F92, F95

FINANCE & EXPENDITURE

PERIODIC PAYMENTS TO PUBLIC HEALTH ORGANISATIONS

Delegation No: F24

Delegator: Minister

Source: Section 5.2 Government Sector Finance Act 2018
Section 9.9 Government Sector Finance Act 2018

Part 1: Power/Function Delegated

Make periodic payments to public health organisations from the amount of subsidy determined under s127 of the Health Services Act 1997 and other external sources of funding for the NSW public health system.

Part 2: Delegates

SECRETARY

DEPUTY SECRETARY FINANCIAL SERVICES AND ASSET MANAGEMENT AND CHIEF FINANCIAL OFFICER

EXECUTIVE DIRECTOR SYSTEM FINANCIAL PERFORMANCE AND DEPUTY CHIEF FINANCIAL OFFICER

DIRECTOR FINANCIAL PERFORMANCE AND REPORTING

Part 3: Conditions

1. Amounts paid must be within the total subsidy approved for the public health organisations and are subject to availability of funds.

Part 4: Notes

1. Under Schedule 6A of the *Health Services Act 1997*, certain payments to public health organisations are required to be made via the State Pool Account and State Managed Fund.
2. The total budget /subsidy may be varied from time to time under delegation F23.

Version Control V01
Last updated (01/04/2024)
Old ref F48

FINANCE & EXPENDITURE

SUBSIDIES AND BUDGET FOR AMBULANCE SERVICES AND STATEWIDE SERVICES

Delegation No: F25

Delegator: Minister

Source: Section 5.2 Government Sector Finance Act 2018
Section 9.9 Government Sector Finance Act 2018

Part 1: Power/Function Delegated

1. Vary a determination of budget / subsidy in relation to the provision of ambulance services or statewide services.
2. Attach or vary conditions associated with a budget / subsidy (or part thereof) in relation to the provision of ambulance services or statewide services.
3. Determine that payment of the whole or any part of an amount of budget / subsidy payable in relation to the provision of ambulance services or statewide services in a financial year is to be deferred until a subsequent financial year.

Part 2: Delegates

SECRETARY

DEPUTY SECRETARY FINANCIAL SERVICES AND ASSET MANAGEMENT AND CHIEF FINANCIAL OFFICER

EXECUTIVE DIRECTOR SYSTEM FINANCIAL PERFORMANCE AND DEPUTY CHIEF FINANCIAL OFFICER

Part 3: Conditions

1. The power to vary a subsidy only permits a variation by way of an increase in the subsidy, and not a reduction.

Part 4: Notes

1. The initial determination of budget/subsidy is made by the Minister.
2. "Ambulance services" means ambulance services provided by the Health Secretary under s67B of the Health Services Act 1997.
3. "Statewide services" means services provided by HealthShare NSW, eHealth NSW, NSW Health Pathology and Health Infrastructure.

Version Control V01
Last updated (01/04/2024)
Merges F100, F101

FINANCE & EXPENDITURE

PERIODIC PAYMENT TO AMBULANCE SERVICE, STATEWIDE SERVICES AND CLUSTER AGENCIES

Delegation No: F26

Delegator: Minister

Source: Section 5.2 Government Sector Finance Act 2018
Section 9.9 Government Sector Finance Act 2018

Part 1: Power/Function Delegated

Make periodic payments in relation to the provision of ambulance services or statewide services from the amount of subsidy determined.

Part 2: Delegates

SECRETARY

DEPUTY SECRETARY FINANCIAL SERVICES AND ASSET MANAGEMENT AND CHIEF FINANCIAL OFFICER

EXECUTIVE DIRECTOR SYSTEM FINANCIAL PERFORMANCE AND DEPUTY CHIEF FINANCIAL OFFICER

DIRECTOR FINANCIAL PERFORMANCE AND REPORTING

Part 3: Conditions

1. Amounts paid must be within the total budget /subsidy amount approved for the provision of ambulance services or statewide services and subject to availability of funds.

Part 4: Note

1. The total budget /subsidy may be varied from time to time under delegation F25 for Ambulance and Statewide Services. The Minister has not delegated the ability to vary cluster agency budgets.
2. "Ambulance services" means ambulance services provided by the Health Secretary under s67B of the Health Services Act 1997.
3. "Statewide services" means services provided by HealthShare NSW, eHealth NSW, NSW Health Pathology and Health Infrastructure.
4. Cluster agencies means the Mental Health Commission and the Health Care Complaints Commission.

Version Control V01
Last updated (01/04/2024)
Old ref F99

FINANCE & EXPENDITURE

SUBSIDIES FOR AFFILIATED HEALTH ORGANISATIONS

Delegation No: F27

Delegator: Minister

Source: Section 129 Health Services Act 1997
Section 127 Health Services Act 1997
Section 21 Health Administration Act 1982

Part 1: Power/Function Delegated

1. Determination, and variation, of subsidy to be received by any affiliated health organisation for its recognised establishments and recognised services.
2. Attach or vary conditions to the determined subsidy.

Part 2: Delegates

SECRETARY

DEPUTY SECRETARY FINANCIAL SERVICES AND ASSET MANAGEMENT AND CHIEF FINANCIAL OFFICER

CHIEF EXECUTIVE, LOCAL HEALTH DISTRICT

Part 3: Conditions

1. Chief Executive, Local Health District delegation is restricted to affiliated health organisations within the geographic boundaries of the Local Health District.
2. A determination under this delegation must include a condition requiring compliance with the Accounts and Audit Determination for Public Health Organisations.

Part 4: Notes

1. The initial determination of subsidy to a local health district is made by the Minister under section 127(3) Health Services Act 1997, following the recommendation the Secretary under s122(1)(e) Health Services Act 1997. This subsidy is taken to include sufficient funds from which a Chief Executive can determine and pay subsidy to affiliated health organisations within the geographic boundaries of the Local Health District.

Version Control V01
Last updated (01/04/2024)
Old ref A318

FINANCE & EXPENDITURE

LOANS TO PUBLIC HEALTH ORGANISATIONS

Delegation No: F28

Delegator: Minister

Source: Section 127B Health Services Act 1997
Section 21 Health Administration Act 1982

Part 1: Power/Function Delegated

1. Determine amount of money to be lent to a public health organisation out of money appropriated from the Consolidated Fund to the Minister.
2. Determine any terms and conditions for such amounts.

Part 2: Delegates

SECRETARY

DEPUTY SECRETARY FINANCIAL SERVICES AND ASSET MANAGEMENT AND CHIEF FINANCIAL OFFICER

EXECUTIVE DIRECTOR SYSTEM FINANCIAL PERFORMANCE AND DEPUTY CHIEF FINANCIAL OFFICER

Part 3: Conditions

NIL

Part 4: Notes

1. Loans made pursuant to this delegation must not result in expenditure in excess of forward estimates (Section 127B(3) *Health Services Act 1997*)
2. Part 6 of the *Government Sector Finance Act 2018* does not apply to these loans (Section 127B(4) *Health Services Act 1997*)

Version Control V01
Last updated (01/04/2024)
Old ref F94

FINANCE & EXPENDITURE

SERVICES PROVIDED BY THE HEALTH SECRETARY

Delegation No: F29

Delegator: Minister

Source: Section 5.2 Government Sector Finance Act 2018
Section 9.9 Government Sector Finance Act 2018

Part 1: Power/Function Delegated

Expend Annual Consolidated Fund Allocation monies for:

1. Ambulance services provided by the Secretary under section 67B of the Health Services Act 1997, and
2. Services provided for or on behalf of the Health Secretary under section 126B of the Health Services Act 1997.

Part 2A: Delegates – Point 1 only

SECRETARY

CHIEF EXECUTIVE AMBULANCE SERVICE OF NSW

Part 2B: Delegates – Point 1 & 2

SECRETARY

DEPUTY SECRETARY FINANCIAL SERVICES AND ASSET MANAGEMENT AND CHIEF FINANCIAL OFFICER

Part 3: Conditions

1. Subject to the annual budget for each Health agency approved by the Minister in the Annual Consolidated Fund Allocation not being exceeded for that agency.
2. The Chief Executive of the Ambulance Service of NSW is limited to expenditure of \$5 million for goods and services.
3. Notwithstanding anything else in this Delegations Manual:
 - a. the Chief Executive of the Ambulance Service of NSW may sub-delegate this function to specific officers within the Ambulance Services of NSW in accordance with section 9.9(5) of the Government Sector Finance Act 2018.
 - b. The Secretary may sub-delegate this function to specific officers within the Health Administration Corporation divisions in accordance with section 9.9(5) of the Government Sector Finance Act 2018.

Part 4: Notes

For HealthShare NSW, eHealth NSW, Health Infrastructure and NSW Health Pathology also refer to the individual entity's delegation manual.

Version Control

V01
Last updated (01/04/2024)
Old ref F102

FINANCE & EXPENDITURE

SCALE OF FEES - PUBLIC HEALTH SYSTEM

Delegation No: F30

Delegator: Minister

Source: Section 69 Health Services Act 1997
Section 21 Health Administration Act 1982

Part 1: Power/Function Delegated

Fix, amend or revoke a scale of fees for hospital services and other health services received from any public health organisation.

Part 2: Delegates

SECRETARY

DEPUTY SECRETARY FINANCIAL SERVICES AND ASSET MANAGEMENT AND CHIEF
FINANCIAL OFFICER

Part 3: Conditions

1. Compliance with any condition or limitations contained in Directives issued by NSW Treasury or relevant Commonwealth legislation or obligations under state and federal agreements.

Part 4: Notes

1. Any Order fixing, amending or revoking a scale of fees must be published in the NSW Government Gazette (Section 69 Health Services Act 1997).

Version Control V01
Last updated (01/04/2024)
Old ref: F96

FINANCE & EXPENDITURE

SCALE OF FEES – AMBULANCE SERVICE

Delegation No: F31

Delegator: Minister

Source: Section 67L Health Services Act 1997
Section 21 Health Administration Act 1982

Part 1: Power/Function Delegated

Fix, amend or revoke a scale of fees for ambulance services provided by the Ambulance Service.

Part 2: Delegates

SECRETARY

DEPUTY SECRETARY FINANCIAL SERVICES AND ASSET MANAGEMENT AND CHIEF FINANCIAL OFFICER

Part 3: Conditions

1. Compliance with any condition or limitations contained in Directives issued by NSW Treasury or relevant Commonwealth legislation or obligations under state and federal agreements.

Part 4: Notes

1. Any Order fixing, amending or revoking a scale of fees must be published in the NSW Government Gazette. (Section 67L of the Health Services Act 1997)

Version Control V01
Last updated (01/04/2024)
Old ref F97

FINANCE & EXPENDITURE

SERVICES PROVIDED BY THE HEALTH SECRETARY - DETERMINE FEES

Delegation No: F32

Delegator: Secretary

Source: Sections 126B(3) and 126B(4) Health Services Act 1997

Part 1: Power/Function Delegated

Determine fees and charges payable for any service provided by or on behalf of the Health Secretary under section 126B Health Services Act 1997.

Part 2: Delegates

LEVEL 2

EXECUTIVE DIRECTOR SYSTEM FINANCIAL PERFORMANCE AND DEPUTY CHIEF FINANCIAL OFFICER

Part 3: Conditions

Nil

Part 4: Notes

- Under section 126B (1) of the Health Services Act, the Health Secretary may provide services for any or both of the following purposes:
 - to support the public health system and public health organisations and the public hospitals they control,
 - to enable the co-ordinated provision of health services involving more than one public health organisation or on a State-wide basis.
- For HealthShare NSW, eHealth NSW, Health Infrastructure and NSW Health Pathology also refer to the individual entity's delegation manual.

Version Control V01
Last updated (01/04/2024)
Old ref A341

FINANCE & EXPENDITURE

ANNUAL FINANCIAL STATEMENTS – STATEMENT OF COMPLIANCE

Delegation No: F33

Delegator: Secretary

Source: Section 7.6(4) Government Sector Finance Act 2018
Section 9.11(1) Government Sector Finance Act 2018

Part 1: Power/Function Delegated

Provide and approve a Statement of Compliance in accordance with the requirements of section 7.6(3) the *Government Sector Finance Act 2018*.

Part 2: Delegates

Chief Executives of local health districts and statutory health corporations in respect of the organisation they are accountable for;

Chief Executive Chief Cancer Officer, in respect of the Cancer Institute (NSW);

Chief Executives in respect of Divisions of the Health Administration Corporation in respect of the Division they are accountable for;

Executive Director, the System Performance Support unit of Health System Support Group Division of the Health Administration Corporation, in respect of that unit;

Mental Health Commissioner, in respect of the Mental Health Commission Staff Agency.

Part 3: Conditions

1. The annual GSF financial statements must be prepared in accordance with the Australian Accounting Standards and any other requirements specified by the *Government Sector Finance Act 2018*, the *Government Sector Finance Regulation 2018* or the Treasurer's directions, and present fairly the agency's financial position, financial performance and cash flows.
2. The delegation also applies to the corresponding Employment Division for each agency as established by the Health Secretary under s116(4) of the *Health Services Act 1997*, as well as any controlled entity of the agency.

Part 4: Notes

1. This delegation is made by the Secretary in the capacity of an accountable authority under the *Government Sector Finance Act 2018*.

Version Control V01
Replaced GSF004
Last updated (01/04/2024)

ENTERING INTO FINANCIAL ARRANGEMENTS UNDER THE GOVERNMENT SECTOR FINANCE ACT

Delegation No: F34

Delegator: Secretary

Source: Section 6.22(3) Government Sector Finance Act 2018
Section 9.11 Government Sector Finance Act 2018

Part 1: Power/Function Delegated:

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

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

Part 2: Delegates:

DEPUTY SECRETARY FINANCIAL SERVICES AND ASSET MANAGEMENT AND CHIEF FINANCIAL OFFICER

CHIEF PROCUREMENT OFFICER

EXECUTIVE DIRECTOR SYSTEM FINANCIAL PERFORMANCE AND DEPUTY CHIEF FINANCIAL OFFICER

EXECUTIVE DIRECTOR FINANCIAL ACCOUNTING, POLICY, INSURANCE AND REVENUE

Part 3: Conditions

1. Compliance with such policies or directions that may be issued from time to time by the Treasurer or NSW Treasury.

Part 4: Notes

1. "NSW Health entity" is defined in s2.3 of the Government Sector Finance Act, and includes local health districts, speciality health networks, Pillar organisations (including Cancer Institute) and the Health Administration Corporation.
2. 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)
3. 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)
4. This delegation only permits a delegate to enter into the types of financial arrangements listed in Part 1. It does not apply to any other type of financial arrangement listed in section 6.22 of the GSF Act.

FINANCE & EXPENDITURE

OPERATING BANKING ACCOUNTS AND TRANSACTIONAL BANKING SERVICES

Delegation No: F35

Delegator: Secretary

Source: Section 6.19 Government Sector Finance Act 2018
Section 6.15(9) Government Sector Finance Act 2018
Section 21 Health Administration Act 1982

Part 1: Power/Function Delegated

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) with a provider of financial services under a State financial service agreement.

Part 2: Delegates

DEPUTY SECRETARY FINANCIAL SERVICES AND ASSET MANAGEMENT AND CHIEF FINANCIAL OFFICER

EXECUTIVE DIRECTOR SYSTEM FINANCIAL PERFORMANCE AND DEPUTY CHIEF FINANCIAL OFFICER

EXECUTIVE DIRECTOR FINANCIAL DATA ANALYTICS, REPORTING AND GOVERNANCE

EXECUTIVE DIRECTOR FINANCIAL ACCOUNTING, POLICY, INSURANCE AND REVENUE

Part 3: Conditions

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

Part 4: 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*

Version Control V01
Last updated (01/04/2024)
Old ref A246

FINANCE & EXPENDITURE

EXPENDITURE OF DEEMED APPROPRIATION MONEY

Delegation No: F36

Delegator: Minister for Health

Source: Sections 4.7 and 5.2 Government Sector Finance Act 2018
Section 9.9 Government Sector Finance Act 2018

Part 1: Power/Function Delegated

Authority to expend deemed appropriation money received or recovered by the Ministry of Health or a NSW Health entity.

Part 2: Delegates

A delegate authorised or formally delegated by the Minister or Secretary to expend money in accordance with this Combined Delegations Manual of NSW Health or a Delegation Manual of a NSW Health entity.

Part 3: Conditions

1. Compliance with conditions imposed on the delegate and financial limits as set out in this Combined Delegations Manual or Delegation Manual of a NSW Health entity.

Part 4: Notes

1. A “NSW Health Entity” means a local health district, a statutory health corporation, the Health Administration Corporation including Divisions of the Corporation, the Cancer Institute (NSW), Albury Base Hospital and the New South Wales Health Foundation.
2. “Deemed appropriation money” means money that an agency receives or recovers of a kind prescribed under section 4.7(3) of the Government Sector Finance Act, which includes bequests, money charged for fee or rent or proceeds of sales of assets, compensation payments and money from Commonwealth or other Grants: for full list of kinds of deemed appropriate money refer to the *Government Sector Finance Regulation 2018*: <https://legislation.nsw.gov.au/>.

Version Control V01
Replaced GSF001
Last updated (01/04/2024)

FINANCE & EXPENDITURE

EXPENDITURE OF APPROPRIATION MONEY - AUTHORISED ON LAPSE OF APPROPRIATION

Delegation No: F37

Delegator: Minister for Health

Source: Section 4.10 Government Sector Finance Act 2018
Section 9.9 Government Sector Finance Act 2018

Part 1: Power/Function Delegated

Authority to expend funds in accordance with a Treasurer's authorisation under section 4.10 of the *Government Sector Finance Act 2018*

Part 2: Delegates

A delegate authorised and formally delegated by the Minister or Secretary to expend money in accordance with this Combined Delegations Manual of NSW Health or a Delegation Manual of a NSW Health entity.

Part 3: Conditions

1. This delegation is subject to any condition, restriction or limit applied to expenditure under the relevant delegation in the Combined Delegations manual, or a Delegation Manual of a NSW Health entity as referred to in Part 2.
2. Expenditure by each agency must not exceed any amount authorised by the Minister for Health to be paid to that agency from sums authorised by the Treasurer's under section 4.10 of the *Government Sector Finance Act 2018*.

Part 3: Notes

A "NSW Health Entity" means a local health district, a statutory health corporation, the Health Administration Corporation including Divisions of the Corporation, the Cancer Institute (NSW), Albury Base Hospital and the New South Wales Health Foundation.

Version Control V01
Replaced GSF003
Last updated (01/04/2024)