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## COMBINED DELEGATIONS MANUAL

### Secretary Delegations Amendment 102(19/11/24) Finance and Expenditure

Secretary delegations – Amendment to the finance and expenditure delegations to further clarify requirements. Revoking former delegations which remained in force during the transition period of the new finance and expenditure delegations.

Amendment
Replaced delegations F3, F4, F5, F7, F12, F15, F16, F34 and F35
Revoked delegations (A1), (A2), (A30, A31), (A48), (A52), (A96), (A219, A220), (A246), (A264), (A270), (A334), (A341), (A342), (A346), (F99), (F101), (F102), (F109) and (F113).

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)

# FINANCE & EXPENDITURE

## LEGAL SERVICES – PROCUREMENT AND EXPENDITURE

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Delegation No: F3

- Delegator:**
1. Minister for Health
  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 PD2024\_027 as issued from time to time.

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**Version Control**      V02  
Amendment 103(25/11/2024)  
Old ref merges F79 and A342

## FINANCE & EXPENDITURE

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

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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. Delegates must not split invoices or expenditure items such that delegate limits are being bypassed.
2. 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.
3. Compliance with NSW Health Procurement (Goods and Services) Policy Directive PD2024\_027 as issued from time to time.

#### Part 4: Notes

Refer to delegation F5 for non-standard limit expenditure.

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**Version Control**      V02  
Amendment 102(19/11/2024)  
Old ref F109

## FINANCE & EXPENDITURE

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

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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, personnel services and associated payments) 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 PD2024\_027 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.

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**Version Control**      V02  
Amendment 102(19/11/2024)  
Old ref F109

## FINANCE & EXPENDITURE

# INVITE AND ACCEPT TENDERS FOR STATEWIDE SERVICES PROVIDED BY THE SECRETARY

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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 PD2024\_027.

### 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 PD2024\_027 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.

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**Version Control** V02  
Amendment 102(19/11/2024)  
Old ref A346

## FINANCE & EXPENDITURE

### GRANTS – EXECUTION OF AGREEMENTS AND PAYMENTS

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Delegation No: F12

**Delegator:** Secretary as Health Administration Corporation

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

#### Part 1: Power/Function Delegated

Authority to execute grant agreements on behalf of the Health Administration Corporation

#### Part 2: Delegates

LEVEL 2

LEVEL 3

LEVEL 4

#### Part 3: Conditions

1. Delegates have authority to execute a grant agreement subject to a grant approval having previously been granted by the Minister for Health or delegate with an appropriate financial delegation – refer to delegation F11.
2. The power to execute a grant agreement includes the power to vary a grant agreement, provided that the change in scope does not amount to a new grant. The *NSW Grants Administration Guide* (as issued September 2022 and amended from time to time), and any applicable NSW Health policy directives, provide guidance as to the circumstances in which a change in a funded project should be regarded as either a permissible variation or a new grant requiring a fresh approval.

#### 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. Ministry branches are not to seek delegation from the Minister for the execution of funding agreements as part of any brief to the Minister seeking approval for a grant.
3. An officer with responsibility for managing a grant may approve payments subject to funds being available and compliance with any conditions of the grant.

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**Version Control**      V02  
                                    Amendment 102(19/11/2024)  
                                    NEW

## FINANCE & EXPENDITURE

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

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Delegation No: F15

**Delegator:** Secretary

**Source:** NSW Health Procurement (Goods and Services) Policy Directive PD2024\_027  
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>DIRECTOR FINANCIAL ACCOUNTING</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

- Compliance with:
  - NSW Health Procurement (Goods and Services) Policy Directive PD2024\_027) as issued from time to time; and
  - Motor Vehicle Acquisition and Management Practices Guideline (GL2011\_010).
- 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.
- 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](mailto:MOH-HealthFinReporting@health.nsw.gov.au)) will facilitate the approval process once approval is provided by delegates.

#### Part 4: Notes

Nil

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**Version Control**      V02  
Amendment 102(19/11/2024)  
Merges A48 and A264

## FINANCE & EXPENDITURE

# TRANSFER OF ASSETS TO LOCAL HEALTH DISTRICTS AND STATUTORY HEALTH CORPORATIONS

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Delegation No: F16

**Delegator:** Secretary

**Source:** NSW Health Procurement (Goods and Services) Policy Directive PD2024\_027  
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

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**Version Control** V02  
Amendment 102(19/11/2024)  
Old ref A270



## FINANCE & EXPENDITURE

# ENTERING INTO FINANCIAL ARRANGEMENTS UNDER THE GOVERNMENT SECTOR FINANCE ACT

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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*

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

*EXECUTIVE DIRECTOR EXTERNAL REPORTING AND FINANCIAL COMPLIANCE AND DEPUTY CHIEF FINANCIAL OFFICER*

*EXECUTIVE DIRECTOR PLANNING AND ANALYTICS*

### 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

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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 EXTERNAL REPORTING AND FINANCIAL COMPLIANCE AND DEPUTY CHIEF FINANCIAL OFFICER*

*EXECUTIVE DIRECTOR PLANNING AND ANALYTICS*

#### 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*

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Amendment 102(19/11/2024)  
Old ref A246