

## 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 (eg Minister or Secretary)

(01/04/2024)

## 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.

---

**Version Control**      V01  
Last updated (01/04/2024)  
Old ref merges (F10, F69), F66

## 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****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*.

---

<b>Version Control</b>	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.

---

<b>Version Control</b>	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.

---

<b>Version Control</b>	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****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

### 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](mailto: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 OFFICEREXECUTIVE 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

### 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)