1. Summary

The Library Council of New South Wales is a statutory authority and incorporates the State Library of New South Wales and State Library of New South Wales Foundation (the Library). As a statutory authority the Library derives its financial delegations from its Minister, currently this is the Minister for the Arts.

Under the provisions of the Public Finance and Audit Act 1983 Ministers are appropriated funds out of Consolidated Fund through the budget allocation process. Ministers then delegate financial authority to agency heads and officers of the public service through an instrument of financial delegations.

A delegation under Section 12 of the Public Finance and Audit Act 1983 authorises delegates to approve expenditure and a Section 13 delegation authorises the delegate to make payments.

This policy and its attached schedule of financial delegations identify nominated Library staff and their respective delegations, outlines how delegations are managed and sets out how they are to be exercised.

2. Policy statement

This policy identifies position titles and their respective limits of financial delegations under the Public Finance and Audit Act 1983 and also articulates the process of administration of financial delegations within the Library.

Delegations represent the upper limit to which delegates may commit the Library’s resources. The position titles and proposed limits of financial delegation are identified in the Schedule of Delegations attached. A register of specimen signatures is maintained by the Financial Services team and referred to prior to payments being made.

State Library Executive are each ultimately responsible for managing expenditure within the budgetary constraints of their divisions and it is their responsibility to ensure that staff under their control use delegations appropriately.

These delegations do not provide, and must not be construed as providing, the authority to initiate or approve expenditure without due regard to the overall Library Council approved recurrent budget, collections and capital expenditure budget.
Agency Chief Executive and Chief Financial Officers have overriding responsibility for ensuring that their organisation operates within their Net Cost of Services and Capital Authorisation Limits. These limits are established through the annual budget process and articulated through NSW Treasury allocation letters.

In managing the operation of this policy, the NSW State Librarian & Chief Executive, on the recommendation of the Director, Operations & Chief Financial Officer, is authorised to reduce, restrict, or otherwise impose conditions on the application of these delegations. The NSW State Librarian & Chief Executive may only take such action where he/she has reason to believe that it is necessary in order to reduce otherwise unacceptable financial or commercial risks for the Library, consistent with the Library’s risk management policy.

Determining delegations: legislative basis and process
The Library’s Financial Delegations Policy and Schedule of Delegations is approved by the Library’s Executive for recommendation to the Library Council of New South Wales. With Library Council endorsement of the recommendation the Schedule of Delegations are then submitted to the Minister for the Arts for approval.

Determining levels of authority
The NSW State Librarian & Chief Executive considers the level of delegation to be assigned within the Library in consultation with the Library’s Executive. Delegations are assigned to positions, not persons, and levels are generally consistent across the organization, with variations established based on business need.

Acquiring, varying and deleting delegations
Members of Executive may seek to acquire, vary or delete the authority delegated to staff under their control by submitting a proposal to the NSW State Librarian & Chief Executive via the Director, Operations & Chief Financial Officer. A variation of delegations is approved by the NSW State Librarian & Chief Executive for recommendation to the Minister, via the Library’s principal department. The Schedule of Delegations will be amended once approved.

Exercising delegations
In exercising a financial delegation Library staff must comply with the relevant provisions of the Public Finance & Audit Act 1983 and the Treasurer's Directions made under that Act.

The following principles guide Library staff when exercising their delegations:

- delegations are exercised in accordance with the Library’s policies and procedures, and must be managed within approved budgetary constraints
- delegations are not to be exceeded
- the cost of a project, contract or transaction must not be dissected into separate components or otherwise manipulated in order to make it fall within a financial delegation
- delegations are not used to approve self-expenditure
- specific delegations take precedence over general expenditure delegations
- the classification of expenditure as operational, grants, collections or capital will depend on the nature of the expenditure. Costs must not be incorrectly coded in order to avoid operational expenditure delegations
- delegations may only be used to carry out the duties of the delegate’s position—they may not be sub-delegated unless authorised to do so
- delegations may be withdrawn at any time
• where a delegation is made subject to conditions, the onus is on the delegate, if required, to demonstrate that the conditions were satisfied before the delegation was exercised.

3. Legislative and Policy Framework

Most relevant legislation
• Library Act 1939
• Public Finance and Audit Act 1983
• Public Sector Employment And Management (Goods and Services) Regulation 2010

Related and/or most relevant State Library and government policies
• NSW Government Procurement guidelines
• NSW Treasurers Directions
• State Library Collection acquisition policy
• State Library Corporate credit card policy
• State Library Enterprise risk management framework policy
• State Library Procurement policy

4. Responsibilities

The NSW State Librarian & Chief Executive is responsible for:
• determining the levels of delegation to be assigned
• approving the Financial Delegations Policy and Financial Delegations for submission to Library Council and the Minister
• operating within Net Cost of Services and Capital Authorisation Limits.

The Director, Operations & Chief Financial Officer is responsible for:
• developing the Financial Delegations Policy
• developing the Schedule of Financial Delegations
• communicating the Financial Delegations and Schedule of Delegations to the staff of the Library
• assessing compliance with the Instrument of Delegation and recommending and implementing corrective action as and when required
• operating within Net Cost of Services and Capital Authorisation Limits
• advising the NSW State Librarian & Chief Executive and the Audit and Risk Committee of Library Council of any breaches.

Executive are responsible for:
• ensuring staff within their Divisions operate within the guidelines of the Financial Delegations Policy and the Schedule of Delegations;
• reviewing the Policy and Schedule and seeking variations as appropriate
• implementing and communicating the policy to Divisional managers and supervisors and other relevant activities regarding specific policy implementation.

Managers and all other staff with Financial Delegations under the Public Finance and Audit Act 1983, are responsible for understanding and complying with this policy and the Schedule of Delegations.

5. Approval

This policy was approved by Library Council of New South Wales on 14 August 2012.
This policy will be reviewed annually and variations submitted to the Executive Committee for approval.

The Schedule of Delegations and variations to delegations are approved by the NSW State Librarian & Chief Executive to be submitted to the Minister for approval. They are reviewed in the event of an organisational restructure.

6. Implementation
This policy is implemented on approval.

A staff communication will be prepared and the policy and Instrument of Delegation (when approved by the Minister) will be published to the Library intranet.

7. History
This policy replaces the Financial Delegations Policy of September 2007.

8. Prepared by:
Director, Operations & Chief Financial Officer
29 May 2012

9. Document History and Version Control

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<th>Version</th>
<th>Date approved</th>
<th>Approved by</th>
<th>Brief description</th>
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<td>26 September 2007</td>
<td>Executive</td>
<td>First release</td>
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<td>2.0</td>
<td>14 August 2012</td>
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LIBRARY COUNCIL OF NEW SOUTH WALES
(STATE LIBRARY OF NEW SOUTH WALES
AND
STATE LIBRARY OF NEW SOUTH WALES FOUNDATION)

FINANCIAL DELEGATIONS
JULY 2012
LIBRARY COUNCIL OF NEW SOUTH WALES
INSTRUMENT OF FINANCIAL DELEGATION

AUTHORISATION BY MINISTER

I, George Souris, Minister for the Arts in the state of New South Wales, do hereby authorise the officers holding or performing the duties of the undermentioned positions to approve expenditure and make payments, in accordance with the provisions of Sections 12 and 13 respectively of the Public Finance and Audit Act 1983, up to a sum not exceeding the amount specified or other financial matters as indicated below.

This instrument takes effect from the date hereof and replaces all existing delegations and authorisations made in respect of matters referred to herein are hereby revoked.

The following Financial Delegations are included:

A: General Expenditure Delegations
B: Specific Financial Delegations – Insurance, rent and utilities
C: Delegations for Capital Expenditure – Property, plant and equipment
D: Delegations for Capital Expenditure – Library Collections Acquisitions
E: Delegation to approve write off of Library Collection Materials
F: Delegations for Grants and Subsidies (Public Libraries)
G: Delegations to Write Off Irrecoverable Debts
H: Delegation to Write Off Obsolete, Damaged or Stolen Equipment
I: Delegation to Make Payments (Section 13)

DATED ___________ day of _______ ___, 2012

Minister for the Arts
AUTHORITY AND RESPONSIBILITY OF FINANCIAL DELEGATION

Authority to Approve Expenditure – Section 12
Officers authorising payment must have the approval of the Minister for the Arts to approve and incur expenditure and enter into commitments, in accordance with Section 12 of the Public Finance and Audit Act 1983.

Authority to Make Payments – Section 13
Officers making payments must have the approval of the Minister to verify and make payments, in accordance with Section 13 of the Public Finance and Audit Act 1983, of expenditure authorised by officers not exceeding the amount of financial delegation approved by the Minister.

Responsibilities and Accountabilities
The primary responsibilities and accountabilities are as follows:

Minister
The Minister for the Arts in accordance with section 170.01 of Treasurer’s Directions is responsible for the approval and revoking of financial delegations to incur or sanction expenditure.

Director General
The Director General, NSW Department of Trade and Investment, Regional Infrastructure and Services (DTIRIS) is responsible to the Minister for the effective and efficient operations of DTIRIS which is the principal department of the Library Council of New South Wales (the Library).

NSW State Librarian & Chief Executive
The NSW State Librarian & Chief Executive is responsible to the Director General, DTIRIS and the Minister for the Arts for the effective and efficient operation of the Library. This includes ensuring that the expenditure of the Library does not exceed authorised financial limits of its appropriations. The Chief Executive, in accordance with section 11 of the Public Finance and Audit Act 1983, is to ensure that the Authority has an effective system of internal control over financial and related operations.

Director Operations & Chief Financial Officer
The Director, Operations & Chief Financial Officer is responsible for developing, maintaining and reviewing the financial delegations for the Library. The Director, Operations & Chief Financial Officer is to ensure that:

- appropriate delegations are provided to positions in terms of decision making
- delegations are current, documented and readily available to staff (Intranet)
- the appropriateness of delegations is reviewed on a regular basis, particularly following reorganisations or restructures.
Delegates

Position holders having delegation to incur or sanction expenditure, in accordance with section 170.02 of the Treasurer’s Directions, will be held responsible for due economy and are not to incur expenditure in excess of the amount appropriated by Parliament for the particular work or service.

Other responsibilities include:
- exercise delegations for which they have authority
- exercise delegations for functions and resources within their position’s prescribed area of responsibility
- not exercise an authority where it would involve a conflict of interest
- act only within the power and monetary limitation of their delegations
- must not approve payment of claims which are payable to themselves
- exercise delegations, where appropriate, in accordance with the relevant legislation including the Public Finance and Audit Act 1983, Public Sector Management (Goods & services) Regulation 2010, State Contract Control Board’s policies, Staff and Personnel Handbook and internal policies and procedures of the Library.

Officers who exceed the scope of their delegations may have their delegations withdrawn by the NSW State Librarian & Chief Executive without notice, in addition to any other disciplinary action.

Contractors and Consultants
Contractors, consultants and temporary agency staff are not officers or staff and therefore cannot exercise financial delegation under any circumstances.

Requests to Amend Delegations
Managers seeking changes to the Financial Delegations should submit their requests in writing through their respective Director/Mitchell Librarian to the NSW State Librarian & Chief Executive via the Director, Operations & Chief Financial Officer. A request for an amendment or new delegation must include an explanation as to the business need for the change in delegation, including details as to the nature and level of delegation that the position(s) will incur. The Director, Operations & Chief Financial Officer will recommend any supported changes to the NSW State Librarian & Chief Executive for approval.

Inquiries
Any inquiries on Financial Delegation should be directed to the Director, Operations & Chief Financial Officer or the Manager, Financial Services.
SCHEDULES OF FINANCIAL DELEGATIONS

A. General Expenditure Delegations
The General Expenditure Delegations are provided for approving expenditure for acquiring goods and services (recurrent), in accordance with the NSW Procurement Guidelines and the Procurement Policy of the Library. The delegation is only conferred on positions whose titles are listed in this delegation schedule.

Officers are reminded to be mindful of additional requirements over certain expenditure which may be introduced by way of Department of Premier and Cabinet Circulars, Treasurer’s Directions, Directors General instructions and at times internal directions from the NSW State Librarian & Chief Executive or the Director, Operations & Chief Financial Officer.

The delegated officer is required to print his/her name and position and when approving expenditure must be satisfied that:
- the expenditure is necessary and reasonable
- funds are available within identified account (budget), and
- the amount being approved is correct and within delegated limit.

B. Insurance, rent and utilities
The delegation is only conferred on positions whose titles are listed in this delegation schedule.

C. Capital expenditure: Property, plant and equipment
The delegation is only conferred on positions whose titles are listed in this delegation schedule.

D. Capital expenditure: Library Collection Acquisitions
The delegation is only conferred on positions whose titles are listed in this delegation schedule and is carried out in line with the Collection Development Policy and the Collection Acquisition Policy.

E. Grants & Subsidies: Public libraries
The delegation is only conferred on positions whose titles are listed in this delegation schedule. The annual Public Library Funding Strategy is approved by the Minister on recommendation of the Library Council of New South Wales. Payments are authorised in the context of this approval.
F. Irrecoverable debts to be written off
The delegation is only conferred on positions whose titles are listed in this delegation schedule.

Before a debt is regarded as unrecoverable, the delegate must be satisfied that either:
- recovery action is uneconomic due to small value of debts
- the debtor cannot be located
- debt recovery is unsuccessful as a result of legal proceeding
- the medical, financial or domestic circumstances of a particular debtor does not warrant taking recovery action or further recovery action.

G. Write off obsolete, damaged or stolen equipment
The delegation is only conferred on positions whose titles are listed in this delegation schedule.

H. Write off collection material
The delegation is only conferred on positions whose titles are listed in this delegation schedule.

The Library’s Retention and Disposal Policy for Collection Material gives guidance and criteria, for categories of the collection that may be withdrawn, in assisting staff to determine steps in the writing off of collection material. The Director, Operations & Chief Financial Officer must be advised of the write off of all collection material.

I. Delegation to make payments
The delegation is only conferred on positions whose titles are listed in this delegation schedule. This delegation applies chiefly to Finance staff who make payments on approved expenditures. The holders of the identified positions are authorised in accordance with Section 13 of the Public Finance and Audit Act 1983 and the Section 200.01 of the Treasurer’s Directions, to make payments for expenditure approved in accordance with Section 12 of the Public Finance and Audit Act 1983 and Section 170.01 of the Treasurer’s Directions.
## Instrument of Financial Delegation – Schedule

### Limit of Power to Approve (All delegations are exclusive of GST)

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>A General expenditure</th>
<th>B Insurance, rent and utilities</th>
<th>C Capital expenditure – Property, plant &amp; equipment</th>
<th>D Capital expenditure – Library Collection Acquisitions</th>
<th>E Grants &amp; Subsidies: Public libraries</th>
<th>F Irrecoverable debts to be written off</th>
<th>G Write off obsolete, damaged or stolen equipment</th>
<th>H Write off collection material</th>
<th>I Delegation to make payments (Section 13)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director General Trade &amp; Investment</td>
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<td>Deputy Director General, Industry, Innovation &amp; Investment</td>
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As per delegations specified from time to time in the Trade & Investment delegations schedule.
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</table>
### Instrument of Financial Delegation – Schedule

**Limit of Power to Approve (All delegations are exclusive of GST)**

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>A General expenditure</th>
<th>B Insurance, rent and utilities</th>
<th>C Capital expenditure – Property, plant &amp; equipment</th>
<th>D Capital expenditure - Library Collection Acquisitions</th>
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<th>F Irrecoverable debts to be written off</th>
<th>G Write off obsolete, damaged or stolen equipment</th>
<th>H Write off collection material</th>
<th>I Delegation to make payments (Section 13)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director, Operations &amp; CFO</td>
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