

INSTRUMENT OF SUBDELEGATION

UNDER THE

**GOVERNMENT SECTOR FINANCE ACT 2018
COMMUNITY WELFARE ACT 1987
CHILDREN AND YOUNG PERSONS (CARE AND PROTECTION) ACT 1998
ADOPTION ACT 2000
NATIONAL DISABILITY INSURANCE SCHEME (NSW ENABLING) ACT 2013
THE GOVERNMENT SECTOR EMPLOYMENT ACT 2013**

IN RELATION TO THE DEPARTMENT OF COMMUNITIES AND JUSTICE

Financial

1. I, Michael Coutts -Trotter, Secretary, NSW Department of Communities and Justice (**DCJ**) refer to the Instruments of Delegation signed by the:
 - (i) Attorney General on 31 December 2020 (as subsequently varied on 31 March 2021) (**Principal Instrument of Delegation**); and 18 April 2021;
 - (ii) Minister for Families, Communities and Disability Services on 21 April 2021.
2. In reliance on the Instruments of Delegation referred to in paragraph 1 above, I subdelegate under section 9.9 (5) of the *Government Sector Finance Act 2018* (‘the **GSF Act**’) to the officers listed in **Schedule A** (**Delegated Officers**) the authority to incur, commit or sanction expenditure for the services of the DCJ up to the limits shown in respect of any one item in:
 - Schedule B** – General Financial Limits;
 - Schedule D** – Delegations with specific financial limits (shaded in blue) relating to Motor Vehicles;
 - Schedule F** – Delegations with specific financial limits (shaded in blue) relating to Property;
 - Schedule M** – Human Resources Delegations (shaded in blue);
 - Schedule R** – Delegations with specific financial limits (shaded in blue) relating to Community Welfare;
 - Schedule W** – Delegations with specific financial limits (shaded in blue) relating to Adoption;
 - Schedule X** – Delegations with specific financial limits (shaded in blue) relating to care of Children and Young Persons;
 - Schedule AG** – Delegations with specific financial limits (shaded in blue) relating to National Disability Insurance Scheme.

3. The authority under paragraph 2 above is subject in all cases to the limits of available funds, and the conditions set out in any of the above Schedules referred to in this Instrument.

Administrative

4. I also delegate those functions and powers that are specified in the column marked "Powers/Functions" (not being a power or function to incur, commit or sanction expenditure) in each of Schedules **D, M, R, W** and **X** to the persons designated with an "X" in the column marked "Delegate" in each of the Schedules referred to in this paragraph 4 (and to be read together with Schedule **A**).
5. Except as set out in the second sentence of this paragraph 5, this Instrument takes effect on 19 April 2021. Concerning Schedule M, this Instrument will take effect on 26 July 2021.
6. With effect from 19 April 2021, this Instrument will, to the extent (i) necessary; and (ii) that I have the power to do so, revoke any earlier instruments of delegation in so far as those earlier instruments confer any authority that is covered by the authority conferred under this Instrument. For clarity, this revocation will not apply to the instruments of delegation referred to in Annexure C to the Principal Instrument of Delegation.
7. Terms used in this Instrument have the same meaning as they carry in the GSF Act, unless otherwise indicated.
8. This Instrument will remain in force until revoked, withdrawn or varied notwithstanding the termination of my office as Secretary.

Michael Coutts-Trotter



Secretary, NSW Department of Communities and Justice

22 April 2021

[Note: The Minister for Families, Communities and Disability Services signed an instrument of delegation whereby the Minister delegated the powers and functions exercisable by that Minister in relation to incurring, approving and sanctioning financial expenditure or support under the *Community Welfare Act 1987*, the *Children and Young Persons (Care and Protection) Act 1998*, and the *National Disability Insurance Scheme (NSW Enabling) Act 2013* (listed in part 2 (ii) of the Schedules attached to the Instrument signed by the Minister), DCJ].