



Australian Government

**Office of the Australian Building and
Construction Commissioner**

Finance Direction 2

Delegations

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Change History

Update the following table as necessary when this document is changed:

Date	Nature of Change
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1. Commissioner’s Instruction (CI)

All ABCC staff are responsible for ensuring that resources are used in an efficient, effective and ethical manner. They must also comply with applicable laws and regulations including these CIs and associated Finance Directions.

Staff occupying positions detailed in the Financial Delegations Schedule have been delegated the legal authority to exercise powers and carry out actions as specified in the schedule. These staff are referred to as Delegated Officials. They are personally accountable for their decisions and actions and must exercise their delegations in accordance with the principles detailed below:

- A person who has been formally appointed to act in a position can exercise any delegations that attaches to that position, subject to any limits or conditions that may be imposed.
- A Delegated Official cannot sub-delegate. A Delegated Official may appoint a person or group, such as a committee, to advise about the exercise of a delegation, but the Delegated Official remains responsible for making the decision.
- Staff are not compelled to exercise delegations. The fact that a staff member holds a delegation does not oblige the staff member to exercise the delegation if, in the opinion of the Delegated Official some special or unusual circumstances are involved which make it sensible that the issue should receive consideration at a more senior level.
- The exercise of a delegation must relate to the whole of a transaction not to parts thereof. (e.g. it is not possible to approve the payment of instalments for the acquisition of an item where the total cost is above the financial limit held by the delegate.)

2. Introduction & Objectives

The objective is to provide a framework regarding the establishment and operation of Delegations.

Delegation under the FMA Act 1997 means exercising a statutory power (i.e. a power derived from an Act of the Commonwealth). Delegation is a statutory procedure permitting a person (the delegator) to entrust their statutory authority to another (the delegate).

3. Supporting Information

3.1 Related References & Pronouncements

FMA Act 1997:	Section 53
FMA Regulations:	Regulations 24, 24A, 25, 25A & 26
Related Finance Directions:	N/A
Other References:	N/A



4. Guidelines

4.1 Delegations Schedule

- 4.1.1 Delegations are issued by the Commissioner in accordance with the requirements of the FMA Act 1997. Details of delegations are contained on the ABCC intranet.

4.2 Record of Delegation

- 4.2.1 Evidence of exercising a delegation should be retained in accordance with Finance Direction 7 "Accounts, Records & Accountable Forms".