

## Deputy Director General, Education Business Services

## School Education Act 1999

## Minister's Instrument of Delegation and Chief Executive Officer's Instrument of Sub-delegation

 When exercising a delegated function, power or duty, reference must be made to the full legislative provision via the [Western Australian Legislation website](#).

Column 1 Legislative reference	Column 2 For information only: Summary of function, power or duty	Column 3 Delegate	Column 4 Sub-delegate	Column 5 Condition, limitation or restriction
<b>Part 4 – Non-government Schools</b>				
<b>Division 6 - Loans for capital works</b>				
s186	Execute all loan agreements for loans made by the Minister.	Chief Executive Officer	Deputy Director General, Education Business Services	Chief Executive Officer has subdelegated to this position as the chief executive officer referred to in s229 of the Act ("Chief Executive Officer").
<b>Part 6A - Student residential colleges</b>				
<b>Division 3 - Administration of student residential colleges</b>				
<b>Subdivision 1 - Operation and management</b>				
s213E(2)(a)	Acquire, hold, manage, improve, develop and dispose of property or an interest in property.	Chief Executive Officer	Deputy Directors General	Nil
s213E(2)(b)	Accept any gift, devise or bequest if it is absolute or subject to conditions (to which the Minister agrees).	Chief Executive Officer	Deputy Directors General	Nil
s213E(2)(e)	Enter into any contract or arrangement.	Chief Executive Officer	<b>Enter into any contract or arrangement with a financial implication</b>	
			Deputy Directors General	Nil
			<b>Enter into funding contracts or arrangements with the Commonwealth</b>	
			Deputy Directors General	Up to \$5,000,000 in value, GST exclusive.
			<b>Sign deeds of settlement and release for arrangements</b>	
			Deputy Directors General	Related to payments made by Insurance Commission of Western Australia (ICWA) and which do not exceed \$1,000,000 in value, GST exclusive.
			<b>Grant funds to not-for-profit organisations</b>	
			Deputy Directors General	Up to \$5,000,000 in value, GST exclusive.
			<b>Enter into a Master Rental Agreement/Lease or Master Finance Agreement/Lease</b>	
<b>Subdivision 3 – Power of Minister to grant licence</b>				
s213K(1)-(5)	Grant licence for use of tangible property vested in the Minister that relates to a student residential college.	Chief Executive Officer	Deputy Directors General	Nil
<b>Part 6 - Administration</b>				
<b>Division 1 - The Minister</b>				
s216(2)(a)	Acquire, hold, manage, improve, develop and dispose of property or an interest in property.	Chief Executive Officer	Deputy Directors General	Nil
s216(2)(b)	Accept any gift, devise or bequest if it is absolute or subject to conditions (to which the Minister agrees).	Chief Executive Officer	Deputy Directors General	Nil
s216(2)(e)	Enter into any contract or arrangement	Chief Executive Officer	<b>Enter into any contract or arrangement with a financial implication.</b>	
			Deputy Directors General	Nil

## Deputy Director General, Education Business Services

## School Education Act 1999

## Minister's Instrument of Delegation and Chief Executive Officer's Instrument of Sub-delegation

 When exercising a delegated function, power or duty, reference must be made to the full legislative provision via the [Western Australian Legislation website](#).

Column 1 Legislative reference	Column 2 For information only: Summary of function, power or duty	Column 3 Delegate	Column 4 Sub-delegate	Column 5 Condition, limitation or restriction
			Enter into funding contracts or arrangements with the Commonwealth	
			Deputy Directors General	Up to \$5,000,000 in value, GST exclusive.
			Sign deeds of settlement and release for arrangements	
			Deputy Director General, Education Business Services	Related to payments made by ICWA and which do not exceed \$1,000,000 in value, GST exclusive.
			Grant funds to not-for-profit organisations	
			Deputy Directors General	Up to \$5,000,000 in value, GST exclusive.
			Enter into a Master Rental Agreement/Lease or Master Finance Agreement/Lease	
			Deputy Director General, Education Business Services	Nil
			Accept grant funding (non-Commonwealth)	
			Deputy Directors General	Nil
s216(2)(f)	Turn to account any resource or intellectual property that is vested in the Minister.	Chief Executive Officer	Deputy Directors General	Nil
s216(3)(a)	Act as the trustee of any trust for educational purposes for the purpose of furthering education in a government school.	Chief Executive Officer	Deputy Director General, Education Business Services	Nil
s218(1) to (5) inclusive	Grant licence for use of tangible property vested in the Minister.	Chief Executive Officer	Deputy Directors General	Nil
s218(6)	Grant a licence for the purposes of a joint arrangement or for the purpose of furthering the joint arrangement.	Chief Executive Officer	Deputy Directors General	Nil

## School Education Act 1999

## Chief Executive Officer's Instrument of Delegation

 When exercising a delegated function, power or duty, reference must be made to the full legislative text via the [Western Australian Legislation website](#).

Column 1 Legislative reference	Column 2 For information only: Summary of function, power or duty	Column 3 Delegate	Column 4 Condition, limitation or restriction
<b>Part 2 - Education of children during compulsory education period</b>			
<b>Division 6 - Financial Provisions</b>			
<b>Subdivision 2 - School funds</b>			
s110	Authorise the principal of a government school to establish funds for the receipt of donations and bequests for specified reasons.	Deputy Director General, Education Business Services	Nil
s111(1)	Designate an officer other than the principal to perform the management of school funds.	Deputy Director General, Education Business Services	Nil

## School Education Act 1999

## Chief Executive Officer's Instrument of Delegation

 When exercising a delegated function, power or duty, reference must be made to the full legislative text via the [Western Australian Legislation website](#).

Column 1 Legislative reference	Column 2 For information only: Summary of function, power or duty	Column 3 Delegate	Column 4 Condition, limitation or restriction
s111(2)	Amend, revoke or replace a designation made under s 111(1) to manage a school fund.	Deputy Director General, Education Business Services	Nil
s111(3)	Issue any directions either generally or in any particular case that principals need to act in accordance with to manage school funds.	Deputy Director General, Education Business Services	Nil
s113(1)	Approve the bank moneys forming part of the school fund are to be paid into.	Deputy Director General, Education Business Services	Nil
s113(2)	Approve a government school to have otherwise than one bank account for school funds.	Deputy Director General, Education Business Services	Nil
s113(4)	Designate for each government school the office holders or class of persons who may operate a bank account.	Deputy Director General, Education Business Services	Nil
s116(1)	Direct how moneys in a school fund are to be dealt with if a school is closed or amalgamated with another school. Operate the bank account for the fund of a school closed or amalgamated with another school to give effect to a direction under s 106(1)(a).	Deputy Director General, Education Business Services	Nil

## Division 5 - Financial provisions

## Subdivision 1 — Fund for each student residential college

s213R	Authorise the officer designated under s 213S(1) to establish funds for the receipt of donations and bequests for specified reasons.	Deputy Director General, Education Business Services	Nil
s213S(1)	Designate an officer to perform the management of college funds.	Deputy Director General, Education Business Services	Nil
s213S(2)	Amend, revoke or replace a designation under s 213S(1).	Deputy Director General, Education Business Services	Nil
s213S(3)	Issue any directions (not being inconsistent with the regulations) either generally or in any particular case in the expenditure of college funds.	Deputy Director General, Education Business Services	Nil
s213U(1)	Approve the bank moneys forming part of the college fund are to be paid into.	Deputy Director General, Education Business Services	Nil
s213U(2)	Approve a student residential college to have more than one bank account for college funds.	Deputy Director General, Education Business Services	Nil
s213U(4)	Designate for each student residential college the office holders or class of persons who may operate a bank account under s 213U(3).	Deputy Director General, Education Business Services	Nil
s213X	Direct how moneys in a college fund are to be dealt with if a college is closed or amalgamated with another college. Operate the bank account for the fund of a college closed or amalgamated with another college to give effect of such a direction.	Deputy Director General, Education Business Services	Nil

## Part 6 - Administration

## Division 3 - Staff employed in the department

## ***School Education Act 1999***

### Chief Executive Officer's Instrument of Delegation

When exercising a delegated function, power or duty, reference must be made to the full legislative text via the [Western Australian Legislation website](#).

Column 1 Legislative reference	Column 2 For information only: Summary of function, power or duty	Column 3 Delegate	Column 4 Condition, limitation or restriction
s240	Order an employee to leave school premises if it is suspected that a person employed at a government school is guilty of an act or omission as referred to in s 80 of the PSMA and the continued presence of the person at the school constitutes a risk to the safety or welfare of students on the premises. Ensure that written reasons for issuing an order under subsection (1) are provided with the order.	Deputy Directors General	Only in an emergency situation where there is a risk to the safety or welfare of students and the CEO is unavailable.

## ***School Education Regulations 2000***

### Chief Executive Officer's Instrument of Delegation

When exercising a delegated function, power or duty, reference must be made to the full legislative text via the [Western Australian Legislation website](#).

Column 1 Legislative reference	Column 2 For information only: Summary of function, power or duty	Column 3 Delegate	Column 4 Condition, limitation or restriction
<b>Division 4 - Financial provisions for kindergartens</b>			
<b>Subdivision 2 - Allocation of moneys appropriated by Parliament</b>			
r146(2)	If conditions are not complied with, recover moneys that have been appropriated by Parliament for assisting kindergartens as a debt in a court of competent jurisdiction.	Deputy Director General, Education Business Services	Nil.

## ***Public Sector Management Act 1994***

### Chief Executive Officer's Instrument of Delegation

When exercising a delegated function, power or duty, reference must be made to the full legislative text via the [Western Australian Legislation website](#).

Column 1 Legislative reference	Column 2 For information only: Summary of function, power or duty	Column 3 Delegate	Column 4 Condition, limitation or restriction
<b>Part 3B – Chief executive officers and chief employee</b>			
s29(1)(g)	To manage and direct employees of the Department and to be responsible for the recruitment, selection, appointment and deployment of employees.	Line managers	For the imposition and initial extension of probation within their work area or unit.
<b>Part 3 - Public Service</b>			
<b>Division 2 - Senior Executive Service</b>			
s53	Appoint a public service officer or other person to the Senior Executive Service.	Deputy Director General	For up to and including Director level positions.
s55	Assess the performance of a senior executive officer.	Deputy Directors General	Up to and including Executive Director level positions in their division.
<b>Division 3 - Public service officers other than executive officers</b>			
s64	Appoint a person as a public service officer.	Line Managers	For public service positions in their work area or unit up to and including Level 8 positions. Subject to the position being approved within the organisational structure by the Director General as per s 36(1)(a).
s65	Transfer a public service officer at the same level of classification.	Line Managers	For public service officers in their work area or unit up to and including Level 8 positions. Subject to the position being approved within the organisational structure by the Director General as per s 36(1)(a).

### Public Sector Management Act 1994

#### Chief Executive Officer's Instrument of Delegation

When exercising a delegated function, power or duty, reference must be made to the full legislative text via the [Western Australian Legislation website](#).

Column 1 Legislative reference	Column 2 For information only: Summary of function, power or duty	Column 3 Delegate	Column 4 Condition, limitation or restriction
<b>s66</b>	Enter into an arrangement in writing with another department or organisation or with an employer outside the Public Sector for the secondment of a public service officer.	Line Managers	For public service officers in their work area or unit up to and including Level 8 positions.
<b>Part 8 - Miscellaneous</b>			
<b>s100</b>	Engage a person under a contract for services.  Appoint a person on a casual employment basis.	Line Managers	In their work area or unit.
<b>s103</b>	Reappoint a public service employee who resigned to stand for election and failed to be elected.	Line Managers	For all public service positions in their work area or unit up to and including Level 8 positions.
<b>s107(1)</b>	To direct an employee to perform the functions, obligations and rights during any vacancy in that office, post or position or during the temporary absence or incapacity of the incumbent, as the case requires	Deputy Director General	To direct an employee to act in a position within their group (for up to and including Executive Director level positions).

### Public Sector Management (Redeployment and Redundancy) Regulations 2014

#### Chief Executive Officer's Instrument of Delegation

When exercising a delegated function, power or duty, reference must be made to the full legislative text via the [Western Australian Legislation website](#).

Column 1 Legislative reference	Column 2 For information only: Summary of function, power or duty	Column 3 Delegate	Column 4 Condition, limitation or restriction
<b>Part 2 - Registrable employees</b>			
<b>r8(2)</b>	Give the employee written notice of all relevant information relating to the determination.	Line Managers	For public service positions in their work area or unit up to and including Level 8 positions or equivalent.  <i>School Education Act 1999</i> staff up to and including Principals.
<b>r8(4)</b>	Consult with the employee in relation to the matters set out in the notice.	Line Managers	For public service positions in their work area or unit up to and including Level 8 positions or equivalent.
<b>r8(8)</b>	If the determination is revoked, give the employee written notice of the revocation.	Line Managers	For public service positions in their work area or unit up to and including Level 8 positions or equivalent.