

# DELEGATIONS INSTRUMENT AND INSTRUCTIONS

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## CERTIFICATE OF RESOLUTION TO ISSUE TOURISM AUSTRALIA DELEGATIONS

### BOARD INSTRUMENT OF DELEGATIONS

I, Bob East, Chair of the Board of Tourism Australia, certify that on 26 August 2021, the Board, acting under section 62 of the *Tourism Australia Act 2004*, resolved:

1. To delegate its powers and functions under that Act as set out in this Instrument and Instructions.
2. To delegate to the Executive General Manager, Corporate Services, the power to exercise all of the delegated powers of the Managing Director, subject to the following conditions and to subsequent post reporting to the Chair:
  - The circumstances are exceptional and the Managing Director is physically unable to act; and
  - The Executive General Manager, Corporate Services considers that it is necessary to exercise the delegated power, having regard to the urgency of the situation and the length of unavailability of the Managing Director.



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**Bob East**

**Chair of the Board**

Date: 26 August 2021

# INSTRUCTIONS

## Scope

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These instructions apply to all staff globally and are binding and mandatory.

## Purpose

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Tourism Australia's Delegations Instrument and Instructions prescribe the approvals to be obtained prior to spending funds or committing Tourism Australia to any course of action. Under the *Tourism Australia Act 2004* (TA Act), the Board of Directors is enabled to issue a Delegations Instrument, and a certificate of resolution to this effect is above.

## DIRECTIONS TO DELEGATES

Tourism Australia's Delegations are capped at a value and are granted and exercised in writing.

### Employees must not Breach Delegations Thresholds

Employees without delegation must not commit, or indicate commitment, to anything on behalf of Tourism Australia. It is also a requirement of the *Public Governance, Performance and Accountability Act 2013* that employees must not authorise a proposed commitment of relevant money unless authorised to do so. Employees are responsible for knowing their thresholds. Knowingly evading a threshold by dividing a commitment or transaction into two or more parts (commonly known as splitting) is a violation of these Instructions.

### Breaches of these Instructions

Breaches of these Instructions must be reported to the Executive General Manager, Corporate Services.

### Delegation not Transferrable

A delegation is *not transferable* and can be exercised only by the individual occupying the position or band to which that delegation is issued. However, due to the principles of hierarchy, it is implied that an employee's line manager is able to exercise that employee's delegation in their absence. Employees formally "acting" on behalf of their line managers automatically assume the delegated powers of their manager.

### Abuse of Authority

Employees holding delegated powers must not exercise their powers to approve or commit to a course of action which will result in a direct personal benefit to them. Abuses of authority include delegates approving their own travel arrangements, expense claims, personal development courses, appointments, remuneration, payment, promotion, transfer, secondment, retirement, voluntary separation or absence, among others.

### The Principles of Hierarchy

A delegation can be exercised only within the functional or departmental budget responsibility of the delegate. Delegations must be exercised in a manner consistent with the approved hierarchy, that is, vertically rather than horizontally. If a particular delegate is unavailable then that individual's line manager must exercise the delegation, rather than an individual of equivalent banding in another department. However, the Managing Director and Executive Leadership Team, whose responsibilities encompass more than their functional areas, are exempt. This policy implies that employees, in exercising their delegations, maintain strong levels of communication within their team with line managers regarding upcoming expenditure and commitments.

### Determining Value Limits – Thresholds Denominated in Australian Dollars

Thresholds within the Instrument are denominated in Australian dollars and must be converted to foreign currencies using the annual budget parameter rate. When determining an appropriate delegate based on financial threshold, the **whole-of-life value** of the commitment including taxes (e.g. VAT, GST), options to extend, charges and contingencies must be factored into the total sum. In determining the delegation in a project, the total contribution of all parties should be used. In determining the delegation in a Partnership Marketing Agreement, Tourism Australia's contribution should be used. For all purposes, the total direct, indirect and in-kind values should be included.

### Reporting to the Audit & Finance Committee

All approved contracts or leases valued at \$400,000 or above, all approved write-offs over \$10,000, and all delegations breaches committed by Band 5+ employees must be reported to the Audit & Finance Committee. Details of increases up to 10 per cent for Board approved projects will be made available to the Committee on request.

### DEFINITIONS

**Annual Operating Plan (AOP):** Tourism Australia's yearly plan outlining prospective activities and associated expenditure.

**Budget Parameter Rate (BPR):** A set of foreign exchange rates established by Treasury and Department of Finance and adopted by Tourism Australia as the benchmark rate for purposes of budgeting.

**Contract:** An agreement to provide or receive goods or services.

**Hospitality:** Food and drink consumed by 1 to 10 people outside Tourism Australia premises where at least 1 attendee is not an employee of Tourism Australia.

**Intercontinental Travel:** Travel between the regions of the Tourism Australia offices.

**Intracontinental Travel:** Travel within the region of a Tourism Australia office.

**Non-staff:** Includes contractors, temporary staff, consultants and service providers.

**Partnership Marketing Agreement (PMA):** An agreement outlining joint marketing activity between Tourism Australia and another party.

**Project:** A planned activity or body of work requiring budgeting, performance measurement and a risk assessment.

## THRESHOLDS

### 1. Projects and Contracts

Position	Projects	Contracts (including PMAs) and Payments
Minister	-	> \$3 million contracts (per <i>Tourism Australia Act</i> )
Board	> \$1.5 million (but less than \$3 million) if not approved by the Board as part of AOP	> \$1.5 million (but less than \$3 million) if associated project is not approved by the Board as part of AOP
Managing Director	\$1.5 million	\$1.5 million, or up to \$3 million if associated project is approved by the Board as part of AOP
Band 7	\$1 million	\$1 million
Band 6	\$500,000	\$500,000
Band 5	\$300,000	\$300,000
Band 4	-	\$100,000*
Band 3	-	\$30,000*
Band 2	-	Can approve purchase orders and invoices up to \$10,000
Band 1	-	Can raise purchase orders; cannot approve

\* All sponsorship agreements must be approved by an employee in Band 5 or above.

#### *Credit Cards*

All Bands are permitted to spend money on credit cards with pre-agreed limits. Refer to the Corporate Credit Card Policy for the limits and further information.

#### *Process for Project Approvals*

These Instructions intend that Projects valued at or over AUD\$1.5 million (inclusive GST) should only be taken to the Board once in May as part of the AOP approval process. Projects that have been approved through the AOP process would then be noted to the

Board if there was an increase in TA’s net expenditure greater than \$250,000. New projects post AOP will require Board approval if greater than \$1.5 million.

*Contracts over \$3 million require Ministerial Approval*

All contracts over \$3 million must be approved by the Minister, as required by the TA Act. Corporate Services will assist employees to comply with this additional approval process.

*Execution of Media Booking Authorities*

Where the relevant delegates have approved an overall funding envelope relating to the contract with TA’s media agency partner(s), media booking authorities, regardless of value, may be executed by the Chief Marketing Officer, General Manager – Brand, Creative and Media or the Global Manager – Media Partnerships.

*Procurement Processes*

Employees exercising a delegation to procure goods and services must adhere to the Procurement Policy and follow relevant procedures, for example, procurements over \$400,000 must follow the correct tender process. All contracts over \$100,000 require sign off by Finance and Legal. (Refer to the Legal Services Policy).

**2. Travel**

<b>Audit Committee Chair*</b>	To approve travel incurred by the Board Chair
<b>Board Chair*</b>	To approve travel incurred by the Deputy Chair
<b>Board Chair or Deputy Chair*</b>	To approve travel incurred by Board members (excluding Board Chair and Deputy Chair)
<b>Board Chair, Deputy Chair or Audit Chair*</b>	To approve travel incurred by the Managing Director or the Managing Director’s spouse (in line with the Managing Director’s employment contract)
<b>Managing Director</b>	To approve of intercontinental and intracontinental employee travel for Band 7 To approve of non-staff travelling on Tourism Australia business for intercontinental travel To approve the acceptance of offers of sponsored travel for Band 7
<b>Band 7</b>	To approve of intercontinental and intracontinental employee travel for Bands 1-6 To approve of non-staff travelling on Tourism Australia business for intracontinental travel To approve the acceptance of offers of sponsored travel for Bands 1-6
<b>Band 6</b>	To approve of intracontinental travel for employees in Bands 1-5
<b>Bands 3, 4 and 5</b>	To approve of intracontinental travel for employees in Bands 1-4 in accordance with the principles of hierarchy

\* The Board Chair may delegate this approval to the Executive General Manager, Corporate Services, except for travel by the Managing Director’s spouse which will always require approval by the Board Chair, Deputy Chair or Audit Chair. Details of all travel undertaken by the Board Chair, Deputy Chair, Audit Chair, Board members and Managing Director will be made available on request.

*For further information, refer to the Travel Policy.*

### 3. Hospitality

<b>Band 7</b>	To approve or pay for hospitality valued \$2,000 in line with credit card limits
<b>Employees holding an approved Tourism Australia credit card</b>	To pay for hospitality up to \$2,000 per activity with their credit card

For further information, refer to the Hospitality, Entertainment and Catering Policy and the Corporate Credit Card Policy.

### 4. International Media Hosting Program (IMHP), Events and Other Hosted Guests

<b>IMHP and other employees booking travel for events and hosted guests</b>	To arrange, book and pay for travel and accommodation for approved IMHP visits and other approved Tourism Australia business such as trade, media and investment visits, excluding non-staff (refer to item 2.)
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IMHP staff are those employees administering the IMHP program.

### 5. Recruitment and Remuneration

<b>Board</b>	To approve short term incentive payments for all employees
<b>Audit &amp; Finance Committee</b>	To approve salary increases in excess of government guidelines for employees in Band 7
<b>Managing Director</b>	To determine the terms and conditions of employment of an employee or group of employees To engage an individual in, or extend the employment of, an employee in a Band 7 position To determine the remuneration of Band 7 employees To re-engage a person who has previously received a redundancy payment from Tourism Australia as an employee or temporary employee To terminate the employment of employees on the grounds of serious misconduct To terminate the employment of employees in Bands 1-7 for any reason other than serious misconduct To suspend employees in Bands 1-7 from duties
<b>Band 7 (with dual approval required from the General Manager People and Culture)</b>	To create or delete a position in Bands 1-6 To determine the remuneration of employees in Bands 1-6 To approve the advertising of a vacant position in Bands 1-6 To terminate the employment of employees in Bands 1-6 for any reason other than serious misconduct To impose sanctions for breaches of the Code of Conduct in Band 1-6 To suspend employees in Bands 1-6 from duties
<b>Band 6</b>	To engage, or extend the employment of, employees in Bands 1-5
<b>Band 5</b>	To engage, or extend the employment of, employees in Bands 1-4

For further information, refer to the Recruitment Policy. The delegations set out above are subject to the terms of individual employee contracts and Tourism Australia employment-related policies.

## 6. Special Allowances and Cash Advances

<b>Managing Director or Executive General Manager, Corporate Services</b>	Approval of expense claims to reimburse Board members for money spent during conduct of Tourism Australia business, and as supported by appropriate documentation (note: Executive General Manager, Corporate Services approves expense claims of the Managing Director).  Approval of cash advances for employees paying business expenses valued at \$2,000 or above
<b>Chief Financial Officer or General Manager, People and Culture</b>	Approval and payment of all global payroll.
<b>Chief Financial Officer</b>	Approval of cash advances for employees paying business expenses valued up to \$2,000.

## 7. Premises Leases

<b>Minister</b>	To enter into a premises lease (including serviced office arrangements) valued at over \$3 million, or that is 10 years or more in duration
<b>Board</b>	To enter into a premises lease (including serviced office arrangements) valued between \$1.5 million and \$3 million, and that is less than 10 years in duration
<b>Managing Director</b>	To enter into premises leases and representative office arrangements valued up to \$1.5 million and less than 10 years in duration
<b>Executive General Manager, Corporate Services or Chief Financial Officer</b>	To enter into premises leases and representative office arrangements valued up to \$1 million and less than 10 years in duration

## 8. Disposal of Assets and Bad Debts

<b>Board</b>	To write-off or dispose of a capital item or debt with a written down value over \$100,000
<b>Managing Director</b>	To write off or dispose of a capital item or debt with a written down value up to \$100,000
<b>Executive General Manager, Corporate Services or Chief Financial Officer</b>	To write off or dispose of a capital item or debt with a written down value up to \$50,000

*For further information, refer to the Bad Debt Writeoff Guidelines.*

## 9. Legal Claims against Tourism Australia

<b>Board</b>	To settle claims valued at \$100,000 or above
<b>Managing Director</b>	To settle claims valued at up to \$100,000



## 10. Trade Marks / Business Names / Tax Registrations / Domain Names

<b>Executive General Manager, Corporate Services or Chief Financial Officer</b>	To enter into any registration, or approve the registration of a business name or tax registration
<b>Chief Information Officer</b>	To purchase or renew a domain name
<b>General Counsel</b>	To enter into any registration, or approve the registration or renewal of a trade mark

For further information, refer to the *Intellectual Property Policy*.

## 11. Bank Accounts

<b>Managing Director, Executive General Manager, Corporate Services and Chief Financial Officer (Two out of three approvals required)</b>	To open, close or operate an account with a bank, including a credit card facility
<b>Chief Financial Officer or Executive General Manager, Corporate Services</b>	To designate a signatory to or an operator of a bank account, and to set limits for credit cards

## 12. Investment of Money

<b>Chief Financial Officer or Executive General Manager, Corporate Services</b>	To approve of the investment of Tourism Australia Money within approved facilities
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## RELATED POLICIES

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- *Corporate Credit Cards Policy*
- *Hospitality, Entertainment and Catering Policy*
- *Intellectual Property Policy*
- *Legal Services Policy*
- *MPA and Related Contracting Policy*
- *Procurement Policy*
- *Recruitment Policy*
- *Travel Policy*