
LEGAL & ADMINISTRATION

Overview

Functional Responsibility

Chief Financial Officer

Authority to Sign Contracts not Specified Elsewhere in this Policy

There are a wide range of contractual agreements which may need to be signed on behalf of ADHB.

The Delegated Authority Policy specifies the authorities required to sign certain types of contracts and these are detailed in the relevant part of this policy as follows:

- Formal offers of employment/appointment, employment contracts, employment bonds – Part 1, Human Resources
 - Purchases of Supplies and Services – Part 2, Supplies and Services
 - Consultants and staff on short term contracts – Part 2, Supplies and Services
 - Contracts with third party providers – Part 2, Supplies and Services
 - Equipment Rentals (excluding Hire Purchase or Finance Leases) – Part 2, Supplies and Services
 - Equipment Lease or Hire Purchase Agreements – Part 3, Capital
 - Loan equipment – Part 3, Capital
 - Purchase of capital equipment – Part 3, Capital
 - Sale of capital equipment – Part 3, Capital
 - Capital Works and Major Maintenance – Part 3, Capital
 - Premises Leases – Part 5, Facilities
 - Purchaser Organisations – Part 7, Purchaser Organisations and Non New Zealand residents
 - Research Projects – Part 9, Clinical Research
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Authority to Sign other Contracts

The delegated authorities to sign other contracts are specified in the following section (Part 6).

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Overview, Continued

Contracts to be Executed in the form of a Deed

Some contracts are required by law to be executed as a Deed.

Any contract which must, by law, be signed as a Deed must be sent to Legal for review.

Negotiations not to Commit Auckland District Health Board

For all contract negotiations the following requirements must be met:

- Negotiations must not in anyway commit the ADHB until the required approval has been obtained.
- Input should be sought from Legal to ensure the negotiations do not unwittingly render the ADHB liable prior to all required approvals being obtained.

Agreements which are conditional on Board approval are acceptable.

Legal Review

If any employee has any document which creates an obligation on the ADHB and about the signing of which that employee has any uncertainty whatever, that document must, before it is signed, be referred to General Counsel.

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Summary 6: Legal & Administration

No.	Description	Level 1	CFO	Level 2	Level 3	Level 4	Other Comments
<i>Administration</i>							
6.1	Release information to media (GM or board approved spokesperson)	Limited	Limited	Limited			Board Chair – policy and political issues. CE – operational and staff issues
6.2	Authority to grant ex-gratia payments to third party organisations	FA	<\$20,000				Report to CE in month of commitment.
<i>Legal – Litigation</i>							
6.3	Authority to initiate or defend litigation for debt recovery	FA	FA	<\$3,000			
6.4	Authority to commit legal fees to defend other litigation	<\$100,000	<\$50,000		General Counsel <\$25,000		<\$25,000 in consultation Quality of Service. <\$50,000 report to CE. > \$100,000 CE with Chairman
<i>Legal – General</i>							
6.5	Settle claims against ADHB	<\$100,000	<\$50,000		General Counsel <\$25,000		>\$25,000 reported to Board each month
6.6	To sign deeds of assignment, novation or variation of existing contracts.	CE & GM of department	CFO Level 2 (GM of affected service)				Form of deed must be approved by Legal

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