



## **Financial Regulator Assessment Authority (Staff and Consultants) Delegations 2021**

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I, Steven Kennedy, Secretary to the Department of the Treasury, make the following delegations.

Dated                    4 November 2021

Steven Kennedy  
Secretary  
Department of the Treasury

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## Part 1—Preliminary

### 1 Name

This instrument is the *Financial Regulator Assessment Authority (Staff and Consultants) Delegations 2021*.

### 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

### 3 Authority

This instrument is made under the *Financial Regulator Assessment Authority Act 2021*.

### 4 Definitions

Note: Expressions have the same meaning in this instrument as in the *Financial Regulator Assessment Authority Act 2021* as in force from time to time—see paragraph 13(1)(b) of the *Legislation Act 2003*.

- (1) In this instrument:

**SES Band 2** means an SES employee who has been allocated an SES Band 2 classification.

**the Act** means the *Financial Regulator Assessment Authority Act 2021*.

**the Treasury** means the Department of the Treasury.

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### Part 2—Delegations

#### 5 Delegations relating to arrangements for the making of Treasury staff available to assist the Authority

- (1) Under subsection 50(1) the Act, each person holding, occupying or performing the duties of each of the following offices or positions in the Treasury, whose services are *not* being made available to assist the Authority in connection with the performance or exercise of the Authority's functions or powers, is delegated the Secretary's functions and powers under section 36 of the Act:
- (a) a Deputy Secretary;
  - (b) an SES Band 2 whose responsibilities include providing advice to the Minister in relation to the Authority.

Note: Section 36 of the Act is about arrangements relating to making Treasury staff available to assist the Authority in connection with the performance or exercise of the Authority's functions or powers.

##### *Directions*

- (2) Under subsection 50(3) of the Act, a delegate under subsection (1) is directed to exercise the function or power in a manner consistent with all of the following:
- (a) the *Public Service Act 1999*;
  - (b) any instruments made under *Public Service Act 1999* as relate to the Treasury;
  - (c) the human resource delegations of the Secretary to the Treasury;
  - (d) any agreements, policies, manuals and guidelines of the Treasury relating to human resources or employment.

#### 6 Delegations relating to consultants

- (1) Under subsection 50(1) the Act, each person holding, occupying or performing the duties of each of the following offices or positions in the Treasury, is delegated the Secretary's functions and powers under section 37 of the Act:
- (a) a Deputy Secretary;
  - (b) an SES employee.

Note: Section 37 of the Act relates engaging consultants to assist in the performance or exercise of the Authority's functions or powers.

##### *Directions*

- (2) Under subsection 50(3) of the Act, a delegate under subsection (1) is directed to exercise the function or power in a manner consistent with all of the following:
- (a) the *Public Governance, Performance and Accountability Act 2013*;
  - (b) any instruments, including rules, instructions, delegations, directions and operational guidelines, made under the *Public Governance, Performance and Accountability Act 2013* or made under an instrument made under that Act, as relate to the Treasury.