

## **16. Subdelegation**

- (1) The Minister may, in an instrument by which a function is delegated under section 15(1), authorise the Authority to subdelegate that function to —
  - (a) the chief executive officer;
  - (b) a member; or
  - (c) a member of staff.
- (2) The Authority may, in an instrument by which a function is delegated under section 15(2)(a), authorise the chief executive officer to subdelegate that function to —
  - (a) a member;
  - (b) a member of staff; or
  - (c) a consultative committee.
- (3) A subdelegation under this section must be made in writing.
- (4) Performance by a subdelegate of a function subdelegated under subsection (1) or (2) —
  - (a) is taken to be in accordance with the terms of a subdelegation under this section, unless the contrary is shown; and
  - (b) is to be treated as performance by the delegator who made the original delegation under section 15.
- (5) Sections 58 and 59 of the *Interpretation Act 1984* apply to a subdelegation under this section in the same way as they apply to a delegation.

*[Section 16 inserted by No. 38 of 2002 s. 10.]*