

Department of Education and Training

Legislative Delegations

Delegation of Director-General's Powers

under

Education (Queensland Curriculum and Assessment Authority) Act 2014

(Version 2 – March 2017)

NOTE: The Executive Director, Legal and Administrative Law Branch must be consulted regarding all proposed amendments to these delegations.

INSTRUMENT OF DELEGATION

Education (Queensland Curriculum and Assessment Authority) Act 2014

I, Dr Jim Watterston, Director-General of the Department of Education and Training, pursuant to section 69(1) of the *Education (Queensland Curriculum and Assessment Authority) Act 2014*, HEREBY DELEGATE to the persons who are from time to time the holders of the position specified in Column 4 of Schedule 1, those powers, functions, authorities and duties, conferred or imposed on me under the provisions of the *Education (Queensland Curriculum and Assessment Authority) Act 2014*, which are specified in Column 1 of Schedule 1, subject to the limitations (if any) specified in Column 3 of Schedule 1.

This Instrument of Delegation is comprised of this page and Schedule 1 comprising 1 page. No other material forms part of the Instrument. Appendix 1 – Director-General’s Powers Not Delegated is provided as a guide to the powers of the Director-General which can only be exercised personally by the Director-General.

This Instrument of Delegation **does not authorise** the persons who are from time to time the holders of the position specified in Column 4 of Schedule 1 to subdelegate any of the powers, functions, authorities or duties specified in Column 1 of Schedule 1.

This Instrument of Delegation revokes any Instrument of Delegation previously issued with respect to the powers, functions, authorities and duties of the Director-General under the *Education (Queensland Curriculum and Assessment Authority) Act 2014*.



DR JIM WATTERSTON
DIRECTOR-GENERAL
DEPARTMENT OF EDUCATION AND TRAINING

DATED AT BRISBANE THIS 27th day of February, 2017.

**SCHEDULE 1 – Table of Delegated Powers of Director-General
*Education (Queensland Curriculum and Assessment Authority) Act 2014***

Schedule 1 – Table of Director-General's Delegated Powers – <i>Education (Queensland Curriculum and Assessment Authority) Act 2014</i>			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
Part 3 – Student Accounts			
Division 2 – Opening student accounts			
s.51(2)	<p>Obligation to open student account for young persons entering compulsory participation phase</p> <p>(1) A student account must be opened for a young person within 1 year before the start of the person's compulsory participation phase.</p> <p>(2) The student account must be opened for the young person by— (a) if the person is enrolled with a school—the school's principal; or (b) otherwise—the chief executive.</p> <p>(3) The principal or chief executive opens the student account for the young person by giving the authority the information about the person prescribed under a regulation.</p>		<ul style="list-style-type: none"> • Manager, Home Education • Assistant Manager, Home Education

APPENDIX 1 – Director-General's Powers Not Delegated – *Education (Queensland Curriculum and Assessment Authority) Act 2014*

Appendix 1 – Director-General's Powers Not Delegated – <i>Education (Queensland Curriculum and Assessment Authority) Act 2014</i>	
Reference	Nature of Power
Part 3 – Student Accounts	
Division 2 – Opening student accounts	
53	<p>Student accounts may be opened for students of recognised schools</p> <p>(1) A student account may be opened for a person who is enrolled to undertake certification studies at a recognised school.</p> <p>(2) The recognised school, or the chief executive, opens the student account for the person by giving the authority the information about the person prescribed under a regulation.</p>
54(4)	<p>Student accounts may be opened for other persons in particular circumstances</p> <p>(1) This section applies if a person wishes to have a student account opened for the person but is not— (a) in the student account phase; or (b) of compulsory school age or younger.</p> <p>(2) The person may give the information about the person prescribed under a regulation to— (a) the chief executive; or (b) if the person is enrolled in certification studies with a provider other than an exempt provider—the provider.</p> <p>(3) When the person gives the chief executive, or the provider, information under subsection (2) the person may ask the chief executive or provider to open the account for the person.</p> <p>(4) If a person gives the chief executive information under subsection (2) and asks the chief executive to open an account for the person, the chief executive opens the account for the person by giving the authority the information given by the person under subsection (2).</p> <p>(5) In this section— <i>compulsory school age</i> see the E(GP) Act, section 9.</p>
66	<p>Disclosure to chief executive</p> <p>This includes:</p> <p>(1) To enable the chief executive to carry on planning activities, the authority must give the chief executive, on request, aggregated student account information.</p> <p>(2) To enable the chief executive to carry on re-engagement activities, the authority must give the chief executive, on request, information prescribed under a regulation about a stated young person or all young persons who, according to the person's or persons' student accounts— (a) is or are in the compulsory participation phase; and (b) has or have stopped being enrolled with a provider in a course or program that is a component of an eligible option; and (c) has or have not re-enrolled with a provider in a course or program that is a component of an eligible option within 30 days after stopping the enrolment mentioned in paragraph (b).</p>