

# **Department of Education and Training**

## **Instrument of Authorisation**

### **Powers of the chief executive of the Regulatory Authority under the *Freedom of Information Act 1982* of the Commonwealth**

**(Version 3 – June 2016)**

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

## INSTRUMENT OF AUTHORISATION

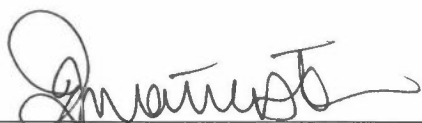
### *Freedom of Information Act 1982 (Commonwealth)*

I, Dr Jim Watterston, chief executive of the Regulatory Authority pursuant to ss.10A and 23(1) of the *Freedom of Information Act 1982* AUTHORISE 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 *Freedom of Information Act 1982*, which are specified in Column 1 of Schedule 1, subject to the limitations (if any) specified in Column 3 of Schedule 1.

The brief descriptions provided in Column 2 of Schedule 1 are for information only, and do not limit in any way the generality of the powers, functions, authorities and duties, specified in Column 1 of Schedule 1.

This Instrument of Authorisation repeals and replaces any other Instrument of Authorisation or Delegation in respect of arrangements made in respect of those powers, functions, authorities and duties, conferred or imposed on me under the provisions of the *Freedom of Information Act 1982*.

This Instrument of Authorisation is comprised of this page and Schedule 1, comprising 2 pages. No other material forms part of the Instrument.



DR JIM WATTERSTON  
CHIEF EXECUTIVE,  
REGULATORY AUTHORITY

DATED AT BRISBANE THIS 13 day of June, 2016

**SCHEDULE 1 – Arrangements that apply to Authorised Officers in the exercise of powers and functions of the Chief Executive of the Regulatory Authority under ss.10A and 23(1) of the *Freedom of Information Act 1982* (Commonwealth)**

Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Authorised Officer
Freedom of Information Act 1982 (Cth), Part II	Pursuant to s.10A - Authorised Officers have power to perform a function or exercise a power given to an agency under Part II -Information publication scheme.	s.10A(2) - The performance or exercise of the function or power is subject to the regulations.	<ul style="list-style-type: none"> <li>• Director, Governance and Risk</li> <li>• Executive Director, Governance, Strategy and Planning</li> <li>• Assistant Director-General, Strategy and Performance</li> </ul>
Freedom of Information Act 1982 (Cth), Parts III - VIII	Pursuant to s.23(1) - Authorised Officers have the power to perform a function or exercise a power given to an agency under Parts III—VIII of the Act.	<p>s.23(2) The performance or exercise of the function or power is subject to the regulations.</p> <p><u>Limitation</u> An internal review application must not be decided by:</p> <ul style="list-style-type: none"> <li>• the person who made the reviewable decision; or</li> <li>• a person who is less senior than that person.</li> </ul> <p><u>Note:</u> Internal review does not apply to decisions made personally by the chief executive of the Regulatory Authority or the responsible Minister. Internal reviews must be completed within 30 days.</p> <p>Section 26 extends to a decision made under this section.</p>	<ul style="list-style-type: none"> <li>• Executive Services Officer, Legal &amp; Administrative Law Branch</li> <li>• RTI Support Officer, Legal &amp; Administrative Law Branch</li> <li>• Senior Policy Officer, Legal &amp; Administrative Law Branch</li> <li>• Principal Information Officer, Legal &amp; Administrative Law Branch</li> <li>• Legal Officer, Legal &amp; Administrative Law Branch</li> <li>• Senior Lawyer, Legal &amp; Administrative Law Branch</li> <li>• Principal Legal Officer, Legal &amp; Administrative Law Branch</li> <li>• Manager, Information Release, Legal &amp; Administrative Law Branch</li> <li>• Manager, Legal &amp; Administrative Law Branch</li> <li>• Director, Legal &amp; Administrative Law Branch</li> <li>• Executive Director, Legal &amp; Administrative Law Branch</li> <li>• Executive Director, Office of the Director-General</li> </ul>