

Office of the Information Commissioner

Information Privacy Act 2009 (Qld)

Information Privacy Act Delegation (No. 1) 2025

1 Citation

This delegation may be cited as the *Information Privacy Act Delegation (No. 1) 2025*.

2 Definitions

For the purposes of this delegation—

Act means the *Information Privacy Act 2009 (Qld)*

Office means the Office of the Information Commissioner

Privacy principles means the obligations in Chapter 2 of the Act

QCAT means the Queensland Civil and Administrative Tribunal.

3 Commencement

This delegation shall commence on the day it is executed.

4 Power to Delegate

This delegation is made under section 139 of the Act.

5 Powers Delegated

The powers or functions, including any incidental powers, of the Information Commissioner referred to in Column 1 of the Schedule are delegated to the holder of the position and the person acting in the position from time to time, referred to in Column 2 opposite the power.

6 Entire Document

This delegation is comprised of five (5) pages including the Schedule.

7 Delegation

This delegation is made by Joanne Kummrow, Information Commissioner.



Signed:

Joanne Kummrow
Information Commissioner

Date: 1 April 2025

Schedule

Column 1 Power/Function	Column 2 Position
Sections 52(1)(b)(i) and (ii) decide that an application is outside the scope of the Act	Right to Information Commissioner Assistant Information Commissioner
Section 101(1)(d) allow longer period to make application for external review	Right to Information Commissioner Assistant Information Commissioner Principal Review Officer
Section 102(3) allow a person affected by a decision to participate in the external review as directed	Right to Information Commissioner Assistant Information Commissioner Principal Review Officer in consultation with the Right to Information Commissioner and/or Assistant Information Commissioner
Section 103(1) identify opportunities for resolution of reviews	Right to Information Commissioner Assistant Information Commissioner Principal Review Officer
Section 103(3) suspend external review to allow participants to negotiate settlement	Right to Information Commissioner
Section 103(4) issue notice to participants that the external review is complete	Right to Information Commissioner Assistant Information Commissioner Principal Review Officer
Section 106(2) allow further time for agency or Minister to deal with the access application, with conditions	Right to Information Commissioner Assistant Information Commissioner Principal Review Officer
Section 107(1) decided not to review or continue to deal with application	Right to Information Commissioner
Section 108(2) give directions as to the procedure to be followed on the external review	Right to Information Commissioner Assistant Information Commissioner Principal Review Officer
Section 110 allow participant to make oral submissions, an opportunity to appear and be represented and/or decide to not conduct making of oral submissions in public	Right to Information Commissioner
Section 111 make inquiries of the applicant or the agency or Minister	Right to Information Commissioner Assistant Information Commissioner Principal Review Officer Support Officer Business Services Manager Senior Business Services Officer Business Services/Support Officer

Column 1 Power/Function	Column 2 Position
Section 112 require the agency or Minister to give an additional statement to applicant and commissioner	Right to Information Commissioner Assistant Information Commissioner
Section 114 require the agency or Minister to give the information in a written form	Right to Information Commissioner Assistant Information Commissioner
Section 115 require an agency or Minister to conduct a further search for the document	Right to Information Commissioner Assistant Information Commissioner Principal Review Officer
Section 116 give written notice requiring a person to give information to the commissioner or produce a document and/or attend before the commissioner to answer questions relevant to the external review	Right to Information Commissioner
Section 117 examine a person under oath or affirmation	Right to Information Commissioner
Section 118(1) review any decision in relation to the access application and decide any matter that could have been decided by an agency or Minister	Right to Information Commissioner Assistant Information Commissioner Principal Review Officer
Section 120(b) on external review, ensure that any document that is the subject of the decision being reviewed, is returned to the person who gave it.	Right to Information Commissioner Assistant Information Commissioner Business Services Manager Senior Business Services Officer Business Services/Support Officer
Section 121(1) and (2) give directions considered necessary to avoid disclosure and to receive evidence and hear argument about non-disclosure	Right to Information Commissioner Assistant Information Commissioner Principal Review Officer
Section 122 direct disclosure of documents	Right to Information Commissioner Assistant Information Commissioner
Section 123 make a written decision on external review and give a copy to each participant	Right to Information Commissioner Assistant Information Commissioner Principal Review Officer in consultation with Right to Information Commissioner
Section 124 correct obvious error in decision	Right to Information Commissioner Assistant Information Commissioner
Section 126 bring evidence of breach of duty or misconduct for consideration of disciplinary action	Right to Information Commissioner

Column 1 Power/Function	Column 2 Position
Section 135(1)(a)(i) conducting reviews to identify privacy related issues of a systemic nature generally or to identify particular grounds for the issue of a compliance notice	Privacy Commissioner Director, Audit and Evaluation Principal Audit and Evaluation Officer Senior Audit and Evaluation Officer
Section 135(1)(c) issue guidelines about any matter relating to the information commissioner's functions, including guidelines on how the Act should be applied and on privacy best practice generally	Right to Information Commissioner Privacy Commissioner
Section 157 give an approval to waive or modify the agency's obligation to comply with the privacy principles	Privacy Commissioner
Section 158 give an agency a compliance notice for a breach of the privacy principles	Privacy Commissioner
Section 159 amend a compliance notice to extend time to take required action	Privacy Commissioner
Section 165(3) inform the relevant entity (the respondent) of the complaint	Privacy Commissioner Assistant Commissioner, Privacy Manager, Privacy Complaints and Notifications Principal Privacy Officer Senior Privacy Officer Privacy Officer
Section 166(2) give reasonable help to an individual to put their complaint in writing	Privacy Commissioner Assistant Commissioner, Privacy Manager, Privacy Complaints and Notifications Principal Privacy Officer Senior Privacy Officer Privacy Officer Manager, Information and Assistance Principal Advisor, Information and Assistance Information, Assistance and Engagement Officer Information, Assistance and Engagement Support Officer
Section 167 make preliminary inquiries of the complainant and respondent to determine if the Commissioner is authorised to deal with the complaint, and whether the Commissioner may decide to decline the complaint	Privacy Commissioner Assistant Commissioner, Privacy Manager, Privacy Complaints and Notifications Principal Privacy Officer Senior Privacy Officer Privacy Officer

Column 1 Power/Function	Column 2 Position
Section 168(1) decline to deal with a complaint or part of a complaint	Privacy Commissioner Assistant Commissioner, Privacy Principal Policy Officer
Section 168(2) decline to continue dealing, with a complaint or part of a complaint	Privacy Commissioner Assistant Commissioner, Privacy Principal Policy Officer
Section 169 refer a complaint to another entity (Ombudsman, Health Quality and Complaints Commission, another jurisdiction's entity with the power to deal with privacy complaints)	Privacy Commissioner Assistant Commissioner, Privacy
Section 171(1) decide whether a complaint is suitable for mediation	Privacy Commissioner Assistant Commissioner, Privacy Manager, Privacy Complaints and Notifications Principal Privacy Officer
Section 171(2) take all reasonable steps to cause the complaint to be mediated	Privacy Commissioner Assistant Commissioner, Privacy Manager, Privacy Complaints and Notifications Principal Privacy Officer Senior Privacy Officer
Section 172 certify a mediated agreement	Privacy Commissioner Assistant Commissioner, Privacy
Section 175 give written notice to the parties that chapter 5, part 4 applies and why, and that the Commissioner will, if asked by the complainant, refer the complaint to QCAT	Privacy Commissioner Assistant Commissioner, Privacy Principal Policy Officer
Section 176 refer a complaint to QCAT	Privacy Commissioner Assistant Commissioner, Privacy Principal Policy Officer
Section 197(1)(4) decide on reasonable grounds that a person has information relevant to issuing a compliance notice or the mediation of a privacy complaint, and to issue a written notice that they provide information in writing or in person	Privacy Commissioner
Section 197(5) administer an oath or affirmation for the provision of information under section 197(4) and examine the person on oath or affirmation	Privacy Commissioner