

# Office of the Information Commissioner

*Information Privacy Act 2009 (Qld)*

## Information Privacy Act Delegation (No. 2) 2025

### 1 Citation

This instrument of delegation is to be cited as the *Information Privacy Act Delegation (No. 2) 2025*.

### 2 Definitions

For the purposes of this instrument of 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 instrument of delegation commences on the day it is executed.

### 4 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.

### 5 Entire Document

This instrument of delegation comprises eight (8) pages including the Schedule.

### 6 Power to Delegate

This instrument of delegation is made by Joanne Kummrow, Information Commissioner under section 139 of the Act.



**Signed:** Joanne Kummrow  
**Information Commissioner**

**Date:** 2 May 2025

## Schedule

<b>Column 1 Power/Function</b>	<b>Column 2 Position</b>
Sections 52(1)(b)(iii) decide that an application is outside the scope of the Act	Right to Information Commissioner Assistant Information Commissioner, Right to Information Principal Review Officer
Section 101(1)(d) allow longer period to make application for external review	Right to Information Commissioner Assistant Information Commissioner, Right to Information 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, Right to Information Principal Review Officer
Section 103(1) identify opportunities for resolution of reviews	Right to Information Commissioner Assistant Information Commissioner, Right to Information Principal Review Officer Senior Review Officer Review Officer
Section 103(3) suspend external review to allow participants to negotiate settlement	Right to Information Commissioner Assistant Information Commissioner, Right to Information Principal Review Officer
Section 103(4) issue notice to participants that the external review is complete	Right to Information Commissioner Assistant Information Commissioner, Right to Information Principal Review Officer
Section 104 inform agency or Minister of application for external review	Right to Information Commissioner Assistant Information Commissioner, Right to Information Principal Review Officer Senior Review Officer Review Officer Support Officer Executive Director, Corporate and Strategic Services Director, Information, Education and Engagement Manager, Information and Assistance Principal Information and Assistance Officer Information, Assistance and Engagement Officer Information, Assistance and Engagement Support Officer
Section 105 before commencing review, inform agency or Minister that decision is to be reviewed under relevant part of the Act	Right to Information Commissioner Assistant Information Commissioner, Right to Information Principal Review Officer Senior Review Officer Review Officer Support 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, Right to Information Principal Review Officer Senior Review Officer

<b>Column 1 Power/Function</b>	<b>Column 2 Position</b>
Section 107(1) decide not to review or continue to deal with application	Right to Information Commissioner Assistant Information Commissioner, Right to Information Principal Review Officer Senior Review Officer
Section 107(2) inform applicant, and any other person informed of the proposed review, of the decision not to review or continue to deal with application	Right to Information Commissioner Assistant Information Commissioner, Right to Information Principal Review Officer Senior Review Officer
Section 108(2) give directions as to the procedure to be followed on the external review	Right to Information Commissioner Assistant Information Commissioner, Right to Information Principal Review Officer
Section 109 make a request for assistance in relation to the review	Right to Information Commissioner Assistant Information Commissioner, Right to Information 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 Assistant Information Commissioner, Right to Information
Section 111 make inquiries of the applicant or the agency or Minister	Right to Information Commissioner Assistant Information Commissioner, Right to Information Principal Review Officer Senior Review Officer Review Officer Support Officer
Section 112 require the agency or Minister to give an additional statement to applicant and commissioner	Right to Information Commissioner Assistant Information Commissioner, Right to Information Principal Review Officer
Section 114 require the agency or Minister to give the information in a written form	Right to Information Commissioner Assistant Information Commissioner, Right to Information Principal Review Officer Senior Review Officer Review Officer
Section 115 require an agency or Minister to conduct a further search for the document	Right to Information Commissioner Assistant Information Commissioner, Right to Information 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 Assistant Information Commissioner, Right to Information
Section 117 examine a person under oath or affirmation	Right to Information Commissioner Assistant Information Commissioner, Right to Information
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, Right to Information Principal Review Officer

<b>Column 1 Power/Function</b>	<b>Column 2 Position</b>
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, Right to Information Executive Director, Corporate and Strategic Services Director, Information, Education and Engagement Manager, Information and Assistance Principal Information and Assistance Officer Information, Assistance and Engagement Officer Information, Assistance and Engagement Support Officer Support Officer
Section 121(1) give directions considered necessary to avoid disclosure	Right to Information Commissioner Assistant Information Commissioner, Right to Information Principal Review Officer
Section 121(2) Receive evidence, or hear argument, in the absence of an access participant or their representative if it is necessary to do so to prevent disclosure to that person of information claimed to be exempt information or contrary to the public interest information	Right to Information Commissioner Assistant Information Commissioner, Right to Information Principal Review Officer
Section 122 direct disclosure of documents	Right to Information Commissioner Assistant Information Commissioner, Right to Information Principal Review Officer
Section 123 make a written decision on external review and give a copy to each participant	Right to Information Commissioner Assistant Information Commissioner, Right to Information Principal Review Officer
Section 124 correct obvious error in decision	Right to Information Commissioner Assistant Information Commissioner, Right to Information Principal Review Officer
Section 126 bring evidence of breach of duty or misconduct for consideration of disciplinary action	Right to Information Commissioner
Section 131 refer a question of law arising on external review to QCAT	Right to Information Commissioner
Section 135(1)(a)(i) conduct 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 Assistant Commissioner, Privacy Assistant Commissioner, Regulatory Audit and Investigations Manager, Regulatory Investigations Manager, Regulatory Audits Principal Regulatory Investigations Officer Principal Regulatory Audit Officer

<b>Column 1</b> <b>Power/Function</b>	<b>Column 2</b> <b>Position</b>
<p>Section 135(1)(b)(i) lead the improvement of public sector privacy administration in Queensland by taking appropriate action to promote understanding of and compliance with the privacy principles</p>	<p>Privacy Commissioner  Assistant Commissioner, Privacy  Manager, Privacy Complaints and Notifications  Executive Director, Corporate and Strategic Services  Director, Information, Education and Engagement  Manager, Education and Engagement  Principal Education Officer  Manager, Information and Assistance  Principal Information and Assistance Officer  Information, Assistance and Engagement Officer  Information, Assistance and Engagement Support Officer</p>
<p>Section 135(1)(b)(ii) lead the improvement of public sector privacy administration in Queensland by taking appropriate action to provide best practice leadership and advice, including by providing advice and assistance to relevant entities on the interpretation and administration of the Act</p>	<p>Privacy Commissioner  Assistant Commissioner, Privacy  Manager, Privacy Complaints and Notifications  Executive Director, Corporate and Strategic Services  Director, Information, Education and Engagement  Manager, Education and Engagement  Principal Education Officer  Manager, Information and Assistance  Principal Information and Assistance Officer  Information, Assistance and Engagement Officer  Information, Assistance and Engagement Support Officer</p>
<p>Section 135(1)(b)(iii) lead the improvement of public sector privacy administration in Queensland by taking appropriate action to conduct compliance audits to assess relevant entities' compliance with the privacy principles</p>	<p>Privacy Commissioner  Assistant Commissioner, Regulatory Audit and Investigations  Manager, Regulatory Audits  Principal Regulatory Audit Officer</p>
<p>Section 135(1)(b)(iv) lead the improvement of public sector privacy administration in Queensland by taking appropriate action to initiate privacy education and training, including education and training programs targeted at particular aspects of privacy administration, and education and training programs to promote greater awareness of the operation of the Act in the community and within the public sector environment</p>	<p>Privacy Commissioner  Assistant Commissioner, Privacy  Executive Director, Corporate and Strategic Services  Director, Information, Education and Engagement  Manager, Information and Assistance  Manager, Education and Engagement  Principal Education Officer</p>
<p>Section 135(1)(b)(v) lead the improvement of public sector privacy administration in Queensland by taking appropriate action to comment on any issues relating to the administration of privacy in the public sector environment</p>	<p>Privacy Commissioner  Assistant Commissioner, Privacy  Manager, Policy</p>
<p>Section 135(1)(b)(vi) lead the improvement of public sector privacy administration in Queensland by taking appropriate action to identify and comment on legislative and administrative changes that would improve the administration of the Act</p>	<p>Privacy Commissioner  Assistant Commissioner, Privacy  Manager, Policy</p>

<b>Column 1</b> <b>Power/Function</b>	<b>Column 2</b> <b>Position</b>
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 135(1)(d) support applicants and relevant entities	Right to Information Commissioner Assistant Information Commissioner, Right to Information Principal Review Officer Senior Review Officer Review Officer Support Officer Privacy Commissioner Assistant Commissioner, Privacy Manager, Privacy Complaints and Notifications Principal Privacy Officer Senior Privacy Officer Privacy Officer Assistant Commissioner, Regulatory Audit and Investigations Manager, Regulatory Investigations Manager, Regulatory Audits Principal Regulatory Investigations Officer Principal Regulatory Audit Officer Executive Director, Corporate and Strategic Services Director, Information, Education and Engagement Manager, Information and Assistance Principal Information and Assistance Officer Information, Assistance and Engagement Officer Information, Assistance and Engagement Support Officer
Section 137 investigate and review whether agencies have taken reasonable steps to identify and locate documents applied for by applicants	Right to Information Commissioner Assistant Information Commissioner, Right to Information Principal Review Officer
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

<b>Column 1 Power/Function</b>	<b>Column 2 Position</b>
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
Section 168(1) decline to deal with a complaint or part of a complaint	Privacy Commissioner Assistant Commissioner, Privacy Manager, Privacy Complaints and Notifications Principal Privacy Officer
Section 168(2) decline to continue dealing, with a complaint or part of a complaint	Privacy Commissioner Assistant Commissioner, Privacy Manager, Privacy Complaints and Notifications Principal Privacy 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 Manager, Privacy Complaints and Notifications
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 Manager, Privacy Complaints and Notifications
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 Manager, Privacy Complaints and Notifications
Section 176 refer a complaint to QCAT	Privacy Commissioner Assistant Commissioner, Privacy Manager, Privacy Complaints and Notifications

<b>Column 1</b> <b>Power/Function</b>	<b>Column 2</b> <b>Position</b>
Section 197(1) decide on reasonable grounds that a person has information relevant to issuing a compliance notice or the mediation of a privacy complaint	Privacy Commissioner Assistant Commissioner, Privacy Assistant Commissioner, Regulatory Audit and Investigations Manager, Regulatory Investigations
Section 197(2) give the person a written notice requiring the person to give the information to the commissioner in written form	Privacy Commissioner Assistant Commissioner, Privacy Assistant Commissioner, Regulatory Audit and Investigations Manager, Regulatory Investigations
Section 197(4) give the person a written notice requiring the person to attend before the commissioner and answer questions	Privacy Commissioner Assistant Commissioner, Privacy Assistant Commissioner, Regulatory Audit and Investigations Manager, Regulatory Investigations
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 Assistant Commissioner, Privacy Assistant Commissioner, Regulatory Audit and Investigations Manager, Regulatory Investigations