

# Office of the Information Commissioner

*Information Privacy Act 2009 (Qld)*

## Information Privacy Act Delegation (No. 5) 2025

### 1 Citation

This instrument of delegation is to be cited as the *Information Privacy Act Delegation (No. 5) 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

**QCAT** means the Queensland Civil and Administrative Tribunal

**QPP** means the Queensland privacy principles obligations in Chapter 2 of the Act.

### 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. The Information Privacy Act Delegation (No 4) 2025 continues in force where Chapter 8, Part 3 of the Act is engaged.

### 5 Entire Document

This instrument of delegation comprises seven (7) 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:** 1 July 2025

## Schedule

<b>Column 1 Power/Function</b>	<b>Column 2 Position</b>
Section 42(1) prepare a draft QPP code or draft amendment of a QPP code	Privacy Commissioner
Section 42(2)(a) and (b) publish the draft on the commissioner's website; and invite the public to make submissions	Manager, Information Systems & Management Senior Systems Administrator Senior Online Communications Officer
Section 42(2)(c) consider any submissions made within the stated period	Privacy Commissioner
Section 43(2) provide submissions to Minister on draft QPP code or amendment	Privacy Commissioner
Section 43(6) publish the QPP code or amended code on the commissioner's website	Manager, Information Systems & Management Senior Systems Administrator Senior Online Communications Officer
Section 44(2)(a) and (b) publish the draft guideline on the commissioner's website; and invite the public to make submissions	Manager, Information Systems & Management Senior Systems Administrator Senior Online Communications Officer
Section 45(5) publish the guideline on the commissioner's website	Manager, Information Systems & Management Senior Systems Administrator Senior Online Communications Officer
Section 49(4) ask the agency to provide further information or updates about the progress of the assessment	Privacy Commissioner Assistant Commissioner, Privacy Manager, Privacy Complaints and Notifications Assistant Commissioner, Regulatory Audits and Investigations Manger, Regulatory Investigations
Section 53(4) publish on the commissioner's website information about how to access the notice	Manager, Information Systems & Management Senior Systems Administrator Senior Online Communications Officer
Section 61(1), (2) direct agency to give statement	Privacy Commissioner Assistant Commissioner, Privacy Manager, Privacy Complaints and Notifications Assistant Commissioner, Regulatory Audits and Investigations Manger, Regulatory Investigations
Section 61(4), (6) recommend to agency that the agency notify individuals under s 53	Privacy Commissioner Assistant Commissioner, Privacy Manager, Privacy Complaints and Notifications Assistant Commissioner, Regulatory Audits and Investigations Manger, Regulatory Investigations

<b>Column 1 Power/Function</b>	<b>Column 2 Position</b>
Section 61(5) invite agency to make a submission about the data breach	Privacy Commissioner Assistant Commissioner, Privacy Manager, Privacy Complaints and Notifications Principal Privacy Officer Assistant Commissioner, Regulatory Audits and Investigations Manager, Regulatory Investigations Principal Regulatory Investigations Officer
Section 63 appoint, by an instrument in writing, an appropriately qualified person as an authorised officer	Privacy Commissioner
Section 64(1) issue identity cards to authorised officers	Privacy Commissioner
Section 68(1) ask, by written notice, agency to consent to authorised officer entering the place	Privacy Commissioner
Section 135(1)(a)(i)(A) 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
Section 135(1)(a)(i)(B) conduct reviews to identify data breach 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 & Investigations Manager, Regulatory Investigations Manager, Regulatory Audits Principal Regulatory Investigations Officer Principal Regulatory Audit Officer
Section 135(1)(a)(ii) investigating an act done or practice engaged in by a relevant entity in relation to personal information, if the commissioner is satisfied on reasonable grounds that the act or practice may contravene the privacy principle requirements or, if the entity is an agency, the entity's obligations under chapter 3A	Privacy Commissioner Assistant Commissioner, Privacy Assistant Commissioner, Regulatory Audit & Investigations Manager, Regulatory Investigations Manager, Regulatory Audits Principal Regulatory Investigations Officer Principal Regulatory Audit Officer
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	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 & Engagement Officer Information & Engagement Support Officer

<b>Column 1</b> <b>Power/Function</b>	<b>Column 2</b> <b>Position</b>
<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 &amp; Engagement Officer  Information &amp; 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>
<p>Section 135(1)(b)(vii) prepare, or assist in the preparation of, QPP codes</p>	<p>Privacy Commissioner  Assistant Commissioner, Privacy  Manager, Privacy Complaints and Notifications  Principal Privacy Officer  Senior Privacy Officer  Privacy Officer</p>

Column 1 Power/Function	Column 2 Position
Section 135(1)(b)(viii) assist relevant entities in complying with obligations under QPP codes	Privacy Commissioner Assistant Commissioner, Privacy Manager, Privacy Complaints & Notifications Principal Privacy Officer Senior Privacy Officer Privacy Officer Director, Information, Education & Engagement Manager, Education & Engagement Principal Education Officer Manager, Information & Assistance Principal Information and Assistance Officer Information, Assistance & Engagement Officer Information & Engagement Support Officer
Section 135(1)(c) issue guidelines under section 138	Privacy Commissioner
Section 135(1)(d) support applicants and relevant entities	Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, 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 & Engagement Officer Information & 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 Manager, Right to Information Principal Review Officer
Section 138 Power to issue guidelines	Privacy Commissioner
Section 157(2) give an approval to waive or modify an obligation to comply with the privacy principle requirements or Chapter 3A, part 2 or 3 or section 72 or 73	Privacy Commissioner
Section 157(6)(a) publish a copy of the gazette notice on the commissioner's website while the approval is in force	Manager, Information Systems & Management Senior Systems Administrator Senior Online Communications Officer

<b>Column 1 Power/Function</b>	<b>Column 2 Position</b>
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 & Engagement Officer Information & 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 Privacy Officer

<b>Column 1 Power/Function</b>	<b>Column 2 Position</b>
Section 172 certify a mediated agreement	Privacy Commissioner Assistant Commissioner, Privacy Manager, Privacy Complaints and Notifications
Section 174(a) decide that the complaint is unlikely to be resolved through mediation	Privacy Commissioner Assistant Commissioner, Privacy Manager, Privacy Complaints and Notifications Principal Privacy Officer
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 175A(2) extend 20 business day period for complainant to ask for referral to QCAT (following complainant's receipt of a s 175 notice)	Privacy Commissioner Assistant Commissioner, Privacy Manager, Privacy Complaints & Notifications
Section 175A(3) Give written notice of extension to complainant and respondent	Privacy Commissioner Assistant Commissioner, Privacy Manager, Privacy Complaints & Notifications
Section 176 refer a complaint to QCAT	Privacy Commissioner Assistant Commissioner, Privacy Manager, Privacy Complaints and Notifications
Section 196A make preliminary inquiries of any person for the purpose of determining whether to investigate and act or practice on the commissioner's own initiative or otherwise under section 135(1)(a)(ii)	Privacy Commissioner Assistant Commissioner, Privacy Assistant Commissioner, Regulatory Audit & Investigations Manager, Regulatory Investigations Manager, Regulatory Audits
Section 197(1) decide on reasonable grounds that a person has information relevant to the matters set out in s 197(1)(a) to (f)	Privacy Commissioner Assistant Commissioner, Privacy Manager, Privacy Complaints & Notifications 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