

Office of the Information Commissioner

Right to Information Act 2009 (Qld)

Right to Information Act Delegation (No. 1) 2024

1 Citation

This delegation may be cited as *Right to Information Act Delegation (No. 1) 2024*.

2 Definitions

For the purposes of this delegation—

Act means the *Right to Information Act 2009*

Office means the Office of the Information Commissioner

3 Commencement

This delegation shall commence on the day it is executed.

4 Power to Delegate

This delegation is made under section 145 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 four (4) pages including the Schedule.

7 Delegation

This delegation is made by Stephanie Winson, Information Commissioner (Acting).

Signed:



Stephanie Winson
Information Commissioner (Acting)

Date: 28 March 2024

Schedule

Column 1 Power/Function	Column 2 Position
Section 32 decide that an application is outside the scope of the Act	Right to Information Commissioner Chief Operating Officer
Section 67 decide whether a non-profit association has financial hardship status	Right to Information Commissioner Assistant Information Commissioner
Section 88(1)(d) allow longer period to make application for external review	Right to Information Commissioner Assistant Information Commissioner Principal Review Officer in Consultation with RTI Commissioner and/or Assistant Information Commissioner
Section 89(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 RTI Commissioner and/or Assistant Information Commissioner
Section 90(3) suspend external review to allow participants to negotiate settlement	Right to Information Commissioner
Section 90(4) issue notice to participants that the external review is complete	Right to Information Commissioner Assistant Information Commissioner Principal Review Officer in Consultation with RTI Commissioner and/or Assistant Information Commissioner
Section 93(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 in Consultation with RTI Commissioner and/or Assistant Information Commissioner
Section 94(1) decided not to review or continue to deal with application	Right to Information Commissioner
Section 95(2) give directions as to the procedure to be followed on the external review	Right to Information Commissioner Assistant Information Commissioner Principal Review Officer in Consultation with RTI Commissioner and/or Assistant Information Commissioner
Section 97 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

Schedule continued

Section 98 make inquiries of the applicant or the agency or Minister	Right to Information Commissioner Assistant Information Commissioner Principal Review Officer Support Officer Chief Operating Officer Business Services Manager Senior Business Services Officer
Section 99 require the agency or Minister to give an additional statement to applicant and commissioner	Right to Information Commissioner Assistant Information Commissioner
Section 101 require the agency or Minister to give the information in a written form	Right to Information Commissioner Assistant Information Commissioner
Section 102 require an agency or Minister to conduct a further search for the document	Right to Information Commissioner Assistant Information Commissioner Principal Review Officer in Consultation with RTI Commissioner and/or Assistant Information Commissioner
Section 103 give written notice requiring a person to give information to the commissioner or produce a document and/or attend before the commissioner to answer question	Right to Information Commissioner
Section 104 examine a person under oath or affirmation	Right to Information Commissioner
Section 105(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 in Consultation with RTI Commissioner.
Section 108 give directions to avoid disclosure and to receive evidence and hear argument about non disclosure	Right to Information Commissioner Assistant Information Commissioner Principal Review Officer in Consultation with RTI Commissioner and/or Assistant Information Commissioner
Section 109 direct disclosure of documents	Right to Information Commissioner Assistant Information Commissioner
Section 110 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 RTI Commissioner.
Section 111 correct obvious error in decision	Right to Information Commissioner

Schedule continued

Section 113 bring evidence of breach of duty or misconduct for consideration of disciplinary action	Right to Information Commissioner
Section 125 do all things necessary in connection with performance of the commissioner's functions under an Act	Right to Information Commissioner Privacy Commissioner Assistant Information Commissioner Director, Audit and Evaluation Chief Operating Officer Assistant Commissioner, Privacy