

Office of the Information Commissioner

Right to Information Act 2009 (Qld)

Right to Information Act Delegation (No. 3) 2025

1 Citation

This instrument of delegation is to be cited as the *Right to Information Act Delegation (No. 3) 2025*.

2 Definitions

For the purposes of this instrument of delegation—

Act means the *Right to Information Act 2009 (Qld)*

Office means the Office of the Information Commissioner

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 seven (7) pages including the Schedule.

6 Power to Delegate

This instrument of delegation is made by Joanne Kummrow, Information Commissioner under section 145 of the Act.

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a series of loops and a long horizontal stroke.

Signed: Joanne Kummrow
Information Commissioner

Date: 6 June 2025

Schedule

Column 1 Power/Function	Column 2 Position
Sections 32(1)(b)(iii) decide that an application is outside the scope of the Act	Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, Right to Information Principal Review Officer
Section 67 decide whether a non-profit association has financial hardship status	Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, Finance, Procurement and Facilities Manager, Information and Assistance Principal Information and Assistance Officer
Section 88(1)(d) allow longer period to make application for external review	Right to Information Commissioner Assistant Information Commissioner Manager, Right to Information Principal Review Officer
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 Manager, Right to Information Principal Review Officer
Section 90(1) identify opportunities for resolution of reviews	Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, Right to Information Principal Review Officer Senior Review Officer Review Officer
Section 90(3) suspend external review to allow participants to negotiate settlement	Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, Right to Information Principal Review Officer
Section 90(4) issue notice to participants that the external review is complete	Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, Right to Information Principal Review Officer
Section 91 inform agency or Minister of application for review	Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, 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

Column 1 Power/Function	Column 2 Position
Section 92 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 Manager, Right to Information Principal Review Officer Senior Review Officer Review Officer Support Officer
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, Right to Information Manager, Right to Information Principal Review Officer Senior Review Officer
Section 94(1) decide not to review or continue to deal with application	Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, Right to Information Principal Review Officer
Section 94(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 Manager, Right to Information Principal Review Officer
Section 95(2) give directions as to the procedure to be followed on the external review	Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, Right to Information Principal Review Officer
Section 96 make a request for assistance in relation to the review	Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, Right to Information Principal Review Officer
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 Assistant Information Commissioner, Right to Information
Section 98 make inquiries of the applicant or the agency or Minister	Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, Right to Information Principal Review Officer Senior Review Officer Review Officer Information, Assistance and Engagement Officer Information, Assistance and Engagement Support Officer Support Officer
Section 99 require the agency or Minister to give an additional statement to applicant and commissioner	Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, Right to Information Principal Review Officer

Column 1 Power/Function	Column 2 Position
Section 101 require the agency or Minister to give the information in a written form	Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, Right to Information Principal Review Officer Senior Review Officer Review Officer
Section 102 require an agency or Minister to conduct a further search for the document	Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, Right to Information Principal Review Officer
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 questions relevant to the external review	Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, Right to Information
Section 104 examine a person under oath or affirmation	Right to Information Commissioner Assistant Information Commissioner, Right to Information
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, Right to Information Manager, Right to Information Principal Review Officer
Section 107(1)(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 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 107(2) destroy copies of documents given to the Commissioner at the end of the review	Right to Information Commissioner Assistant Information Commissioner, Right to Information Support Officer Executive Director, Corporate and Strategic Services Director, Information, Education and Engagement Manager, Information and Assistance Principal Information and Assistance Officer Manager, Information Systems and Management Senior Systems Administrator Information, Assistance and Engagement Officer Information, Assistance and Engagement Support Officer
Section 108(1) give directions considered necessary to avoid disclosure	Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, Right to Information Principal Review Officer

Column 1 Power/Function	Column 2 Position
Section 108(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 Manager, Right to Information Principal Review Officer
Section 109 direct disclosure of documents	Right to Information Commissioner Assistant Information Commissioner, Right to Information Principal Review Officer
Section 110 make a written decision on external review and give a copy to each participant	Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, Right to Information Principal Review Officer
Section 111 correct obvious error in decision	Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, Right to Information Principal Review Officer
Section 113 bring evidence of breach of duty or misconduct for consideration of disciplinary action	Right to Information Commissioner
Section 118 refer a question of law arising on review to QCAT	Right to Information Commissioner
Section 125 do all things necessary in connection with performance of the commissioner's functions under the Act	Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, Right to Information Principal Review Officer Executive Director, Corporate and Strategic Services Assistant Commissioner, Regulatory Audit and Investigations
Section 128(1)(a) give information and help to agencies and members of the public by giving guidance on the interpretation and administration of the Act	Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, 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 128(1)(b) give information and help to agencies and members of the public by giving information and help to agencies, applicants and third parties at any stage of an access application	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

Column 1 Power/Function	Column 2 Position
<p>Section 128(1)(c) give information and help to agencies and members of the public by promoting greater awareness of the operation of the Act in the community and within government, including by providing training and educative programs</p>	<p>Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, Right to Information Principal Review Officer Senior 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 Manager, Policy</p>
<p>Section 128(1)(d) give information and help to agencies and members of the public by monitoring the way the public interest test set out in section 49 is applied by agencies and on external review, consulting experts on its application and keeping agencies informed</p>	<p>Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, Right to Information Principal Review Officer Assistant Commissioner, Regulatory Audit and Investigations Manager, Policy</p>
<p>Section 128(1)(e) give information and help to agencies and members of the public by commissioning external research, and consulting experts on the design of surveys, to monitor whether the Act and its administration are achieving the Act's stated objectives</p>	<p>Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, Right to Information Principal Review Officer Manager, Policy</p>
<p>Section 128(1)(f) give information and help to agencies and members of the public by commenting on any issues relating to the administration of right to information or privacy in the public sector environment</p>	<p>Right to Information Commissioner</p>
<p>Section 128(1)(g) give information and help to agencies and members of the public by identifying and commenting on legislative and administrative changes that would improve the administration of the Act</p>	<p>Right to Information Commissioner</p>
<p>Section 130 investigate and review whether agencies have taken reasonable steps to identify and locate documents applied for by applicants</p>	<p>Right to Information Commissioner Assistant Information Commissioner, Right to Information Manager, Right to Information Principal Review Officer</p>
<p>Section 131(1)(a) reviewing and reporting on agencies in relation to the operation of the Act and the Information Privacy Act, chapter 3, including by monitoring, auditing and reporting on agencies' compliance with the Act and the Information Privacy Act</p>	<p>Right to Information Commissioner Assistant Information Commissioner, Right to Information 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</p>

Column 1 Power/Function	Column 2 Position
Section 131(1)(b) advising the parliamentary committee of the statistical information (including statistical information about giving access to information other than on an access application) agencies are to give the commissioner for reports under this section	Right to Information Commissioner Assistant Commissioner, Regulatory Audit and Investigations
Section 131(1)(c) publishing performance standards and measures for use in reports under this section	Right to Information Commissioner Assistant Commissioner, Regulatory Audit and Investigations Executive Director, Corporate and Strategic Services Director, Information, Education and Engagement Manager, Information and Assistance
Section 131(2) give a report about the outcome of the review to the parliamentary committee	Right to Information Commissioner
Section 132(1) issue guidelines about a matter for or in connection with any of the commissioner's functions	Right to Information Commissioner
Section 188(2) give the strategic reviewer written comments on anything in the proposed report	Right to Information Commissioner Privacy Commissioner Executive Director, Corporate and Strategic Services