

Department of Education

Instrument of Authorisation

Director-General's Powers

under

Education (General Provisions) Act 2006

(Version 8 – March 2023)

NOTE: In accordance with the Managing delegations, authorisations and administrative approvals procedure, legislative delegations are centrally managed by Policy and Statutory Engagement. Policy and Statutory Engagement must be contacted for all proposed amendments to these authorisations.

INSTRUMENT OF AUTHORISATION

Education (General Provisions) Act 2006

I, Michael De'Ath, Director-General of the Department of Education, AUTHORISE the persons who are from time to time the holders of each position specified in **Column 4** of Schedule 1, to exercise those powers and functions conferred or imposed on me or the Department under the provisions of the *Education (General Provisions) Act 2006*, which are specified in **Column 1** of Schedule 1, subject to the limitations (if any) specified in **Column 3** of Schedule 1.

This Instrument of Authorisation is comprised of this page, and Schedule 1 comprising 3 pages.

This Instrument of Authorisation revokes and replaces any Instrument of Authorisation previously issued with respect to the powers and functions of the Director-General under the *Education (General Provisions) Act 2006*.



MICHAEL DE'ATH
DIRECTOR-GENERAL
DEPARTMENT OF EDUCATION

DATED AT BRISBANE THIS 16th day of March, 2023

**SCHEDULE 1 – Table of Persons Authorised to do acts and make decisions
under the *Education (General Provisions) Act 2006***

Schedule 1 – Table of Persons Authorised to do acts and make decisions under the <i>Education (General Provisions) Act 2006</i>			
Column 1	Column 2	Column 3	Column 4
Reference	Description of Authority	Observations / Limitations	Authorised Persons
Chapter 9 – Compulsory schooling			
Part 1 – Compulsory schooling requirement			
Division 1 – Parents’ obligations			
s.178	<p>Notice to, and meeting with, parent</p> <p>(1) This section applies if an authorised officer reasonably suspects –</p> <p>(a) a child who is compulsory age –</p> <p>(i) is not enrolled at a State school or non-State school; or</p> <p>(ii) is not attending the State school or non-State school at which the child is enrolled, on every school day, for the educational program in which the child is enrolled; and</p> <p>(b) parts 2 to 4 do not apply to the child.</p> <p>(2) The officer may give a parent of the child a notice in the approved form about the parent’s obligation under section 176(1).</p> <p>(3) The officer may also meet with the parent to discuss the obligation.</p> <p>(4) If, despite the officer taking reasonable steps to meet with the parent under subsection (3), no meeting is held, the officer may give a warning notice in the approved form.</p> <p>(5) For the <i>Police Powers and Responsibilities Act 2000</i>, section 16, an authorised officer acting under this section is a public official performing a function authorised by this Act.</p> <p>(6) In this section – authorised officer means the chief executive or an officer of the department authorised by the chief executive for this section.</p>	<p>Powers may be exercised in respect of all children of compulsory school age, not enrolled in a non-State school.</p>	<ul style="list-style-type: none"> • Principal • Deputy Principal • Principal Advisor, Education Services • Principal Advisor, Regional Services • Principal Advisor, Regional Improvement, Darling Downs South West Region • Director Regional Services • Director Education Services, Darling Downs South West Region • Head of Campus* • Assistant Regional Director, Metropolitan Region • Manager, Metropolitan Region • Regional Case Coordinator, Metropolitan Region • Re-engagement Officer, Metropolitan Region • Court Liaison Officer, Metropolitan Region • Principal Education Officer, North Coast Region • Senior Manager

**Schedule 1 – Table of Persons Authorised to do acts and make decisions under the
Education (General Provisions) Act 2006**

Column 1	Column 2	Column 3	Column 4
Reference	Description of Authority	Observations / Limitations	Authorised Persons
			Engagement, South East Region • Transition Pathways Officer, South East Region *A Head of Campus is a person employed by the Department of Education, in a role with a position description thus entitled.
		Powers may be exercised in respect of all children of compulsory school age, enrolled in a non-State school.	• Executive Director, External Relations and Research • Principal Advisor, Education Services • Director Regional Services

Chapter 10 – Compulsory participation in education or training

Part 4 – Parents' obligation

s.241	<p>Notice to, and meeting with parent</p> <p>(1) This section applies if an authorised officer reasonably suspects a young person is in the compulsory participation phase and is not participating full-time in an eligible option.</p> <p>(2) The officer may give a parent of the young person a notice in the approved form about the parent's obligation under section 239(1).</p> <p>(3) The officer may also meet with the parent to discuss the obligation.</p> <p>(4) If, despite the officer taking reasonable steps to meet with the parent under subsection (3), no meeting is held, the officer may give the parent a warning notice in the approved form.</p> <p>(5) For the <i>Police Powers and Responsibilities Act 2000</i>, section 16, an authorised officer acting under this section is a public official performing a function authorised by this Act.</p>	Powers may be exercised in respect of all young persons in the compulsory participation phase, not enrolled in a non-State school.	<ul style="list-style-type: none"> • Principal • Deputy Principal • Principal Advisor, Education Services • Principal Advisor, Regional Services • Principal Advisor, Regional Improvement, Darling Downs South West Region • Director Regional Services • Director Education Services, Darling Downs South West Region • Head of Campus* • Assistant Regional Director, Metropolitan Region • Manager, Metropolitan
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Column 1	Column 2	Column 3	Column 4
Reference	Description of Authority	Observations / Limitations	Authorised Persons
	(6) In this section – <i>authorised officer</i> means the chief executive or an officer of the department authorised by the chief executive for this section.		Region <ul style="list-style-type: none"> • Regional Case Coordinator, Metropolitan Region • Re-engagement Officer, Metropolitan Region • Court Liaison Officer, Metropolitan Region • Principal Education Officer, North Coast Region • Senior Manager Engagement, South East Region • Transition Pathways Officer, South East Region *A Head of Campus is a person employed by the Department of Education, in a role with a position description thus entitled.
		Powers may be exercised in respect of young persons in the compulsory participation phase enrolled at a non-State school	<ul style="list-style-type: none"> • Executive Director, External Relations and Research • Principal Advisor, Education Services • Director Regional Services