

Department of Education

Instrument of Authorisation

Powers of the chief executive of the Regulatory Authority under the *Freedom of Information Act 1982* of the Commonwealth

(Version 5 – January 2025)

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

INSTRUMENT OF AUTHORISATION

Freedom of Information Act 1982 (Commonwealth)

I, Sharon Schimming, Acting Chief Executive of the Regulatory Authority under sections 10A and 23(1) of the *Freedom of Information Act 1982* 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 under the provisions of the *Freedom of Information Act 1982*, which are specified in **Column 1** of Schedule 1, subject to the limitations (if any) specified in **Column 3** of Schedule 1.

The brief descriptions provided in Column 2 of Schedule 1 are for information only, and do not limit in any way the generality of the powers and functions specified in Column 1 of Schedule 1.

This Instrument of Authorisation is comprised of this page, and Schedule 1 comprising 1 page. No other material forms part of the Instrument.

This Instrument of Authorisation repeals and replaces any other Instrument of Authorisation or Delegation in respect of arrangements made in respect of those powers and functions conferred or imposed on me under the provisions of the *Freedom of Information Act 1982*.



SHARON SCHIMMING
ACTING CHIEF EXECUTIVE,
REGULATORY AUTHORITY

DATED AT BRISBANE THIS 28 day of January, 2025

SCHEDULE 1 – Arrangements that apply to Authorised Officers in the exercise of powers and functions of the Chief Executive of the Regulatory Authority under ss.10A and 23(1) of the *Freedom of Information Act 1982* (Commonwealth)

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Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Authorised Officer
Part II	Pursuant to s.10A - Authorised Officers have power to perform a function or exercise a power given to an agency under Part II - Information publication scheme.	s.10A(2) - The performance or exercise of the function or power is subject to the regulations.	<ul style="list-style-type: none"> • Director, Policy, Procedure and Portfolio Reporting • Executive Director, Governance, Strategy and Planning • Assistant Director-General, Strategy and Performance
Parts III - VIII	Pursuant to s.23(1) - Authorised Officers have the power to perform a function or exercise a power given to an agency under Parts III—VIII of the Act.	<p>s.23(1) The performance or exercise of the function or power is subject to the regulations.</p> <p><u>Internal review observation:</u> An internal review application must not be decided by:</p> <ul style="list-style-type: none"> • the person who made the reviewable decision; or • a person who is less senior than that person. <p><u>Internal review limitation:</u> The following officer does not have delegated power to deal with an application for internal review:</p> <ul style="list-style-type: none"> • Policy Officer, Legal Services • Information Officer, Legal Services <p><u>Note:</u> Internal review does not apply to decisions made personally by the chief executive of the Regulatory Authority or the responsible Minister. Internal reviews must be completed within 30 days.</p> <p>Section 26 extends to a decision made under this section.</p>	<ul style="list-style-type: none"> • Policy Officer, Legal Services • Information Officer, Legal Services • Principal Information Officer, Legal Services • Legal Officer, Legal Services • Lawyer, Legal Services • Senior Lawyer, Legal Services • Principal Lawyer, Legal Services • Principal Legal Officer, Legal Services • Manager, Information Release, Legal Services • Director, Legal Services • General Counsel, Legal Services