



Instrument of Delegation

Functions and powers under the FOI Act and FOI Regulations

Australian Prudential Regulation Authority Act 1998

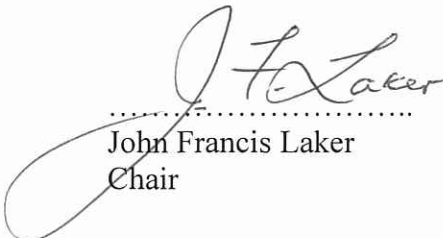
APRA, under subsection 15(1) of the *Australian Prudential Regulation Authority Act 1998*, subsection 23(1) of the *Freedom of Information Act 1982* and subsection 33(3) of the *Acts Interpretation Act 1901*:

1. REVOKES the delegation made on 1 July 2008 of functions and powers under the FOI Act;
2. MAKES this Instrument of Delegation.

Dated: 19 April 2012



APRA's seal was affixed in)
accordance with the resolution)
of the meeting of APRA)
members on the above date.)


.....
John Francis Laker
Chair


.....
Thea Rosenbaum
Secretary

1 Commencement

This instrument commences on the day it is made.

2 Interpretation

In this instrument:

APRA means the Australian Prudential Regulation Authority;

FOI Act means the *Freedom of Information Act 1982*;

FOI Regulations means the *Freedom of Information (Charges) Regulations 1982*;

Level 2 means Level 2 and above;

Level 3 means Level 3 and above; and

GM means General Manager and above.

3 Delegations

APRA's functions and powers under the FOI Act and the FOI Regulations are delegated as follows:

- (1) each function and power under a provision, as in force from time to time, specified in column 1 of the Schedule is delegated to the APRA staff members who, from time to time hold, occupy, or perform the duties of, the position or positions specified in the same row in column 3 of the Schedule;
- (2) the functions and powers under the FOI Act, as amended on or before today, and which are not prescribed in the Schedule, are delegated to the APRA staff members who, from time to time, hold, occupy or perform the duties of Level 3 and above;
- (3) the functions and powers under the FOI Regulations respectively, as amended on or before today, and which are not prescribed in the Schedule, are delegated to the APRA staff members who, from time to time, hold, occupy or perform the duties of Level 2 and above; and
- (4) the functions and powers not referred to in subparagraph 3(1), 3(2) or 3(3) are delegated to the APRA staff members who, from time to time, hold, occupy, or perform the duties of General Manager or above.

Schedule

Specific delegations

Part 1 - FOI Act

Column 1 Provision¹	Column 2 Brief description of function or power	Column 3 Minimum Level of delegate
15(6)	Determine in writing that the requirements of section 26A, 26AA, 27 or 27A make it appropriate to extend the period referred to in paragraph (5)(b)	Level 2
15(7)	Determine in writing that it is appropriate to extend the period referred to in paragraph (5)(b)	Level 2
15AA	Extend the period referred to in paragraph 15(5)(b) for dealing with a request, or that period as extended under subsection 15(6) or (8) (consultation), by a further period of no more than 30 days	Level 2
15AC(4)	Apply in writing to the Information Commissioner for further time to deal with the request	Level 2
16(1)	Transfer the request to the other agency	Level 2
29(4)	Decide that the charge is to be reduced or not to be imposed	Level 2
51C(1)	Transfer the application to the other agency or Minister	Level 2

¹ References are to sections in the FOI Act

Column 1 Provision¹	Column 2 Brief description of function or power	Column 3 Minimum Level of delegate
51DA(3)	Apply, in writing, to the Information Commissioner for further time to deal with the application	Level 2
54D(3)	Apply, in writing, to the Information Commissioner for further time to deal with the application	Level 2
55A(2)	Apply, in writing, to the Information Commissioner to be a review party	GM
55B(1)	Apply to the Information Commissioner requesting that the Information Commissioner hold a hearing for the purposes of the IC review	GM
55F(1)(c)	Sign the terms of an IC review agreement	GM
55T(1)(a)	Claim that the document is an exempt document	GM
77(3)	Provide consent for an authorised person to enter a place	GM
86(3)	Give the Information Commissioner comments about the notice	GM
89K(2)(a)	Apply to the Information Commissioner for a vexatious applicant declaration	GM