

OMBUDSMAN



Ombudsman Act 1976

INSTRUMENT OF DELEGATION

SUBSECTION 34(1)
SUBSECTION 34(2)
SUBSECTION 34(2A)

I, Allan James Asher, Commonwealth Ombudsman, under subsections 34(1), 34(2) and 34(2A) of the *Ombudsman Act 1976* **revoke** all previous delegations issued under that Act and **delegate** to any person from time to time holding, occupying or performing the duties of a position in the Office of the Commonwealth Ombudsman specified in Column 1 of the Schedule to this Instrument, the powers conferred on me by the provisions of the Act specified in the corresponding part of Column 2 of Schedule 1 to this Instrument.

In this Instrument, a reference to a position below the level of an SES officer does not include positions the duties of which are principally related to financial or human resources management.

Issued at Canberra, 18 November 2010



Allan Asher
Commonwealth Ombudsman

SCHEDULE

Column 1 Position	Column 2 Powers or Functions
1. Deputy Ombudsman	All powers capable of being delegated, that is, all powers <i>other than</i> sections 15, 16, 17, 19 and subsections 34(1), 34(2) and 34(2A)
2. Senior Assistant Ombudsman - all	As for items 4, 5 <i>and</i> Subsection 3(1) Subsection 8(1) Subsection 8(1A) Subsection 8(10)(b) and (d) Subsection 8(11) Section 9 Section 19Y
3. Senior Assistant Ombudsman that has responsibility for law enforcement matters	Subsection 6(16) Subsection 6(17)
4. Executive Level 2 staff - all	As for item 6 <i>and</i> Subparagraph 6(1)(b)(i) Subsection 6(2), power to determine that there exist special circumstances warranting an investigation Section 6B Section 9 Section 14 Subsection 19E(1)(a) Subsection 19E(2) Subsection 19Q(1)(b)(i) Section 35A, in relation to the disclosure of information to respond to an imminent threat to the life or safety of any person Section 35AA

5. Executive Level 2 responsible for legal matters	Section 6C Section 35A, in relation to the disclosure of information about an investigation by the Ombudsman to an agency where a person has made a complaint or raised an issue with the Prime Minister
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6. Executive Level 1 staff – all	As for item 8, <i>and</i> Subsection 8(7) Subsection 12(4) Section 13 Section 35A, in relation to the disclosure to a complainant or representative of a complainant of: <ul style="list-style-type: none"> • correspondence between the office and the complainant • records of telephone and personal discussions involving the complainant • complaint management system records and other documents that the complainant would previously and lawfully have seen.
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7. Executive Level 1 responsible for public contact team matters	Section 35A, in relation to the disclosure of information to respond to an imminent threat to the life or safety of any person
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8. APS Level 2, 3, 4, 5, 6 staff	Subsection 4(3) Subsection 4(4) Subsection 4(5) Section 6, other than subparagraph 6(1)(b)(i), subsection 6(2), subsection 6(16) and subsection 6(17) Subsection 7(2) Subsection 7A(1) Subsection 8(2) Subsection 8(3) Subsection 12(1) Subsection 12(3) Section 19C Section 19D Paragraph 19E(1)(b) Section 19M Section 19N Section 19P Section 19Q, other than subparagraph 19Q(1)(b)(i)
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