

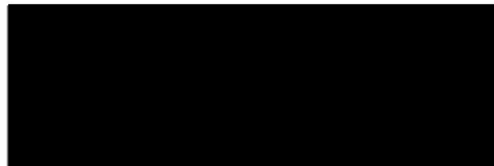
INSTRUMENT OF DELEGATION**Ombudsman Act 1976****Australian Federal Police Act 1979**

I, Iain Anderson, Commonwealth Ombudsman,

1. Under subsections 34(1)(a), 34(2), 34(2A), 34(2B), 34(2C), 34(3) and 34(4) of the *Ombudsman Act 1976* (the Act), **revoke** all previous delegations issued under the Act and **delegate** to any persons 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 Schedule 1 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 relation to subsection 34(2C), I am satisfied that those people have expertise appropriate to the function or power delegated. In relation to subsection 34(4) and 34(4A), I am satisfied that those people are sufficiently senior to exercise the power or perform the function delegated; and
2. Under the subsection 34(1)(c) of the Act, **revoke** all previous delegations issued under subsection 34(1)(c) of the Act and **delegate** to any persons 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 Schedule 2 to this Instrument, the powers conferred on me by the provisions of Division 7 of Part V of the *Australian Federal Police Act 1979* specified in the corresponding provision of Column 2 of Schedule 2 to this Instrument.

Issued at Canberra, 12 MAY

2026



Iain Anderson Commonwealth

Ombudsman

SCHEDULE 1

Column 1 Position	Column 2 Powers or Functions	Description
Powers and Functions under the <i>Ombudsman Act 1976</i>		
1. Australian Public Service (APS) Level 2, 3 and 4	Section 6 , <i>other than</i> sub-paragraph 6(1)(b)(i) and subsections 6(2), 6(16), 6(17), 6(18), 6(20) and 6(21)	Discretion not to investigate certain complaints
	Subsection 7(2)	Complaints
	Subsection 7A(1)	Ombudsman may make preliminary inquiries
	Subsection 8(1)	Ombudsman must inform of investigation
	Subsection 8(2)	Investigations to be in private
	Subsection 8(3)	Ombudsman may obtain information

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Column 1 Position	Column 2 Powers or Functions	Description
	Section 19P	Discretion to refer complaints to another statutory officer-holder
	Section 19Q , <i>other than</i> sub-paragraph 19Q(1)(b)(i)	Discretion not to investigate certain complaints
	Section 19ZJ , <i>other than</i> subsection 19ZJ(2)(b)	Functions of Overseas Students Ombudsman (OSO)
	Section 19ZK	Transfer of complaints
	Section 19ZL , <i>other than</i> sub-paragraph 19ZL(1)(b)(i)	Discretion not to investigate certain complaints
	Section 20D , <i>other than sub-sections 20D(f)-(j)</i>	Functions of the Private Health Insurance Ombudsman
	Subsection 20H(a)	Initial receipt of complaint

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Column 1 Position	Column 2 Powers or Functions	Description
	Section 20L	Referral to other bodies
	Section 20M , <i>other than</i> paragraphs 20M(5)(e), 20M(5)(f), 20M(5)(h), 20M(5)(i), and 20M(5)(j)	Deciding not to deal with a complaint
	Section 20N	Referral to the subject of the complaint
	Section 20P	Investigation of complaint
	Section 20S	Complainant to be kept informed
	Section 20ZD	Information-gathering---requests for PHI records and information
	Section 20ZN	Performance of Functions (VSLO)

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Column 1 Position	Column 2 Powers or Functions	Description
	Subsection 20ZO(a)	Investigations (VSLO)
	Subsection 12(1)	Complainant and Department etc. to be informed
	Subsection 12(3)	Complainant and Department etc. to be informed
	Section 19C, other than sub-paragraph 19C(2)(b)	Functions of the Defence Force Ombudsman (DFO)
	Section 19D	Discretion to investigate complaints as Commonwealth Ombudsman or as Defence Force Ombudsman
	Sub-paragraph 19E(1)(b)(ii)	Discretion with respect to certain complaints
	Section 19M other than sub-paragraph 19M(2)(b)	Functions of the Postal Industry Ombudsman (PIO)

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Column 1 Position	Column 2 Powers or Functions	Description
	Section 19N	Discretion to investigate complaints as Commonwealth Ombudsman or as Postal Industry Ombudsman
	Section 20ZQ	Referral of complaints to other bodies
	Section 20ZR , <i>other than</i> subsection 20ZR(a)	Deciding not to investigate complaints
	Section 21AC , <i>other than</i> subsection 21AC(c)	Functions of the National Student Ombudsman
	Subsection 21AF(a)	May notify provider on initial receipt of complaint
	Section 21AH	Referral of matters raised in complaints to Commonwealth, State or Territory body
	Section 21AJ , <i>other than</i> subsection 21AJ(a)	Deciding not to deal with a complaint

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Column 1 Position	Column 2 Powers or Functions	Description
	Section 21AK	Referral to the subject of the complaint
	Paragraph 21AT(1)(a)	Investigations – investigation on complaint
	Subsection 21AU(1)	Provider to be informed
	Subsection 21AU(2)	Investigations to be in private
	Section 21AZ	Inquiries
	Section 21AZF	Discretion to deal with complaints as National Student Ombudsman or other Ombudsman
2. APS 5	All powers delegated to APS 2, 3 and 4	

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Column 1 Position	Column 2 Powers or Functions	Description
	Section 6C	Transfer of complaints to Information Commissioner
	Subsection 6D(3)	Transfer of complaints to the Inspector-General of Taxation
	Subsection 6D(4)	Transfer of complaints to the Inspector-General of Taxation
	Subsection 6D(5)	Transfer of complaints to the Inspector-General of Taxation
	Section 20SA	Power to conduct inspections and audits
	Section 20TA	Power to inspect documents etc
	Section 20ZHA	Announcement before entry

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Column 1 Position	Column 2 Powers or Functions	Description
	Section 20ZIA	Identity cards
	Section 20SA	Power to conduct inspections and audits
	Section 20TA	Power to inspect documents etc
	Section 20ZHA	Announcement before entry
	Subsection 21AZA(9)	Power to inspect documents
	Section 21AM	Conducting an alternative dispute resolution process
	Section 21AR	Conducting a restorative engagement process

Column 1 Position	Column 2 Powers or Functions	Description
3. APS 4 and 5 Legal Team	Section 35A , in relation to the disclosure: - to a complainant or representative of a complainant of: - correspondence between the office and the complainant - records of telephone and in person discussions involving the complainant; and - complaint management system records; and - other documents that the complainant would previously and lawfully have seen: and in accordance with Administrative Access Arrangements	Disclosure of information by Ombudsman
4. APS 6	All powers delegated to APS 5	
	Subsection 20ZM(1)(ca)	Functions of VET Student Loans Ombudsman

Column 1 Position	Column 2 Powers or Functions	Description
	Section 35A, in relation to the disclosure: • of information to respond to a serious threat to the life, health or safety of any person, and • to a complainant or representative of a complainant of: ○ correspondence between the office and the complainant ○ records of telephone and in person discussions involving the complainant; and ○ complaint management system records; and ○ other documents that the complainant would previously and lawfully have seen; and ○ in accordance with Administrative Access Arrangements	Disclosure of information by Ombudsman
5. Executive Level 1	All powers delegated to APS 6	
	Subsection 6(2)	Discretion not to investigate certain complaints
	Subsection 6(20)	Discretion not to investigate certain complaints

Column 1 Position	Column 2 Powers or Functions	Description
	Subsection 6(21)	Discretion not to investigate certain complaints
	Section 6A	Transfer of complaints about ACC
	Section 6F	Transfer of complaints to the Inspector-General of Intelligence and Security
	Subsection 8(7)	Rights to appear
	Section 13	Power to examine witness
	Section 20K	Referral to the Australian Competition and Consumer Commission
	Section 20M	Deciding not to deal with a complaint

Column 1 Position	Column 2 Powers or Functions	Description
	Section 20X	Conducting mediation
	Section 35A , in relation to the provision of assessments made under section 486O of the <i>Migration Act 1958</i> to the Australian Human Rights Commission.	Disclosure of information by Ombudsman
6. Executive Level 2	All powers delegated to Executive Level 1	
	Sub-paragraph 6(1)(b)(i)	Discretion not to investigate complaints
	Section 68	Transfer of complaints about Integrity Commissioner
	Section 6E	Transfer of complaints to the Australian Small Business and Family Enterprise Ombudsman
	Subsection 7A(2)	Arrangements with Departments and prescribed authorities

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Column 1 Position	Column 2 Powers or Functions	Description
	Section 9	Power to obtain information and documents
	Subsection 12(4)	Complainant and Department etc. to be informed
	Section 19E	Discretion with respect to certain complaints
	Section 19Q	Discretion not to investigate certain complaints
	Section 19S	Powers of the Postal Industry Ombudsman under section 9
	Section 19ZL	Discretion not to investigate certain complaints
	Section 19ZN	Powers of the Overseas Students Ombudsman under section 9

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Column 1 Position	Column 2 Powers or Functions	Description
	Section 19ZT	Overseas Students Ombudsman may notify of misconduct
	Section 20W	Consultation with the Australian Competition and Consumer Commission
	Section 20ZC	Appointment of mediators
	Subsection 21AJ(a)	Deciding not to deal with a complaint – frivolous and vexatious
	Section 21AL	Recommendations as a result of referral of complaint to higher education provider
	Section 21AY	Disclosure of identifying information in reports
	Section 21AZA	Notices requiring information, documents or attendance to answer questions

Column 1 Position	Column 2 Powers or Functions	Description
	Section 21AZH	National Student Ombudsman may notify of misconduct
	Section 31A	Engagement of persons to conduct alternative dispute resolution processes
78. Executive Level 2 in Student Redress Team, Industry Investigations Team and National Student Ombudsman branch.	Section 35A	Disclosure of information by Ombudsman
89. Senior Assistant Ombudsman	All powers delegated to Executive Level 2	
	Subsection 3(1)	Definition of authorised person

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Column 1 Position	Column 2 Powers or Functions	Description
	Section 6	Discretion not to investigate certain complaints
	Subsection 8(1A)	Ombudsman must inform of investigation
	Paragraph 8(10)(b)	Breaches of duty etc
	Paragraph 8(10)(d)	Breaches of duty etc
	Subsection 8(11)	Breaches of duty etc
	Subsection 12(2)	Complainant and Department etc. to be informed - arrangement
	Section 19Y	Postal Industry Ombudsman may notify employer of misconduct

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Column 1 Position	Column 2 Powers or Functions	Description
	Subsection 20SB <i>other than subsections (4) and (5)</i>	Recommendations to insurers or brokers
	Section 20Y	Participation in mediation may be compulsory
	Section 20ZE	Information-gathering--notices requiring PHI records and information
	Section 20ZI	Giving information about the Private Health Insurance Ombudsman
	Section 20Q	Recommendations as a result of referral or investigation
	Section 20ZR	Deciding not to investigate complaints
	Section 21AN	Participation in alternative dispute resolution process may be compulsory

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Column 1 Position	Column 2 Powers or Functions	Description
	Subsection 35(3A)	Officers to observe confidentiality
	Subsection 35(3B)	Officers to observe confidentiality
	Section 35AA	Disclosure of information and documents to Integrity Commissioner
	Section 35AB	Disclosure of information and documents to Inspector-General of Intelligence and Security
	Section 35A	Disclosure of information by Ombudsman
910. First Assistant Ombudsman	All powers capable of being delegated.	
4011. Deputy Ombudsman	All powers capable of being delegated.	

Column 1 Position	Column 2 Powers or Functions	Description
Powers under Division 7, Part V of the <i>Australian Federal Police Act 1979</i>		
4112. APS 5 and 6, Executive Level 1 and Executive Level 2 responsible for Law Enforcement Ombudsman Functions	Subsection 40XA(2)	Annual reviews by Ombudsman
	Section 40XB	Ad hoc reviews by Ombudsman
4213. Senior Assistant Ombudsman	All powers delegated to APS Level 5 and 6, and Executive Level 1	
	Section 40XC	Commissioner to provide information and access to documents
4314. Deputy Ombudsman	All powers capable of being delegated.	