

Australian Communications and Media Authority

Freedom of Information Act 1982 – Approved arrangements under paragraph 10A(1)(b) and subsection 23(1)

Enabling legislation

1. I, Christopher John Chapman, Principal Officer of the Australian Communications and Media Authority:
 - (a) revoke the arrangements set out in the instrument made by me on 4 February 2011 for the purposes of subsection 23(1) of the *Freedom of Information Act 1982*; and
 - (b) approve the arrangements set out in this instrument for the purposes of paragraph 10A(1)(b) and subsection 23(1) of the Act.

Commencement

2. This instrument commences on the date it is made.

Definitions and interpretation

3. In this instrument, unless the contrary intention appears:
 - (a) "ACMA" means the Australian Communications and Media Authority;
 - (b) "Act" means the *Freedom of Information Act 1982*;
 - (c) "applicant" means a person who has made an application for access to a document of the ACMA under subsection 15(1) of the Act on or after 1 November 2010;
 - (d) "application for internal review" means an application made under Part VI of the Act to the ACMA on or after 1 November 2010 for internal review of a decision¹;
 - (e) "EL2" means a position in the ACMA with the classification Executive Level 2;
 - (f) "Lawyer" means a position in the ACMA having the title of "Lawyer" or "Legal Officer" with the classification APS Level 5 or APS Level 6, or "Senior Lawyer" or "Senior Legal Officer" with the classification Executive Level 1;
 - (g) "Member" means a Member of the ACMA and includes the Chair, Deputy Chair and any full-time or part-time Member, but does not include an Associate Member;


¹ Part VI of the Act deals with the internal review of decisions and relevantly does not apply to a decision made personally by a principal officer of an agency (see subsections 54(1) and 54A(1)) or a decision in relation to the provision of access to a document upon a request that is taken to have been made under section 15AC or 51DA (see section 54E).

- (h) "officer of the ACMA" includes a Member or a member of staff of the ACMA;
- (i) "Regulations" means the *Freedom of Information (Charges) Regulations 1982*;
- (j) "request" means an application made under subsection 15(1) or section 48 of the Act to the ACMA on or after 1 November 2010²;
- (k) "SES1" means a position in the ACMA with the classification Senior Executive Band 1;
- (l) "SES2" means a position in the ACMA with the classification Senior Executive Band 2; and
- (m) a reference to an authorisation to perform or exercise a function or power includes an authorisation to refuse to perform or exercise that function or power.

Approved arrangements

- 4. Each person for the time being holding, occupying or performing the duties of an office or position specified in Column 2 of the table in Schedule A is authorised to perform or exercise the corresponding functions or powers specified in Column 1 of the table in Schedule A.
- 5. The functions or powers may be performed or exercised while the person is an officer of the ACMA but not while absent on leave, or suspended, from the ACMA.

Dated 11th August 2011



Signature of Christopher John Chapman
Principal Officer of the Australian Communications and Media Authority

² Subsection 51D(2) of the Act provides that section 23 applies in relation to a decision on an application made under section 48.

SCHEDULE A

Authorisation to perform or exercise functions or powers under the Act and the Regulations

Item	Column 1 Functions and Powers	Column 2 Offices and Positions
1	All of the ACMA's functions and powers under: <ul style="list-style-type: none"> • Part II of the Act in respect of the establishment, operation, and review of an information publication scheme for the ACMA; • Part III of the Act to make a decision in respect of a request for access to a document; • Part V of the Act to make a decision in respect of a request for the amendment or annotation of personal records; and • the Regulations 	EL2 Lawyer
2	All of the ACMA's functions and powers under: <ul style="list-style-type: none"> • Part II of the Act in respect of the establishment, operation and review of an information publication scheme for the ACMA; • the Act to make a decision in respect of a request (including a decision in respect of an application for internal review); and • the Regulations All of my functions and powers under the Act to make a decision in respect of a request	Member SES2 SES1