



**Australian Government**

**Australian Transport Safety Bureau**

## **Chief Executive Officer's Freedom of Information Act 1982 Authorisation Instrument 2018 (No.1 [ATSB 5/2018])**

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I, Gregory James Hood, Chief Executive Officer of the Australian Transport Safety Bureau, make this Authorisation under subsection 23(1) of the *Freedom of Information Act 1982* (the Act).

Dated 15<sup>th</sup> August 2018

  
**Gregory James Hood**  
Chief Executive Officer

## 1 Name of Instrument

This instrument is the *Chief Executive Officer's Freedom of Information Act 1982 Authorisation Instrument 2018 (No.1 [ATSB 5/2018])*.

## 2 Commencement

This instrument commences on the date it is signed.

## 3 Definitions

**Accountable Authority** under the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) means the Accountable Authority as defined in section 12 of the PGPA Act. The CEO is the Accountable Authority for the purpose of the PGPA Act.

**AMSA** means the Australian Maritime Safety Authority.

**AN Act** means the *Air Navigation Act 1920*.

**ANCR Regulations** means the *Air Navigation (Confidential Reporting) Regulations 2006*.

**APS 4** means an APS employee who is classified as an APS level 4 under the Classification Rules.

**APS 5** means an APS employee who is classified as an APS Level 5 employee under the Classification Rules.

**APS 6** means an APS employee who is classified as an APS Level 6 employee under the Classification Rules.

**ASRS** means the Aviation Self Reporting Scheme, a voluntary reporting scheme established under sub-regulation 13.335(1) of the CAS Regulations for reporting reportable contraventions.

**ATSB** means the Australian Transport Safety Bureau established by section 12 of the TSI Act, a non-corporate Commonwealth agency under the PGPA Act. It includes the staff of the ATSB in accordance with section 16 of the TSI Act.

**Authorised officer** under the *Public Interest Disclosure Act 2013* means a person appointed under paragraph 36(b)(ii) of the PID Act.

**CASA** means the Civil Aviation Safety Authority.

**CAS Regulations** means the *Civil Aviation Safety Regulations 1998*.

**CEO** means the Chief Executive Officer referred to in section 15 of the TSI Act. In accordance with section 15(2) of the TSI Act, the Chief Commissioner is the CEO.

**CFO** means the Chief Financial Officer (EL 2), the person occupying the position of Manager Finance.

**Chief Commissioner** means the Chief Commissioner appointed by the Minister in accordance with section 13(1) of the TSI Act.

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**Chief Investigator (OTSI)** means the person occupying the position of Chief Investigator within OTSI.

**Chief Investigator Transport Safety (CITS)** means the person occupying the position of Chief Investigator Transport Safety within CITS.

**Chief Operating Officer (SES 1)** means the person occupying the position of Chief Operating Officer.

**CITS** means the Chief Investigator Transport Safety established under section 179 of the *Transport Integration Act 2010* (VIC) in Victoria.

**Classification Rules** means the *Public Service Classification Rules 2000*.

**Collaboration Agreement** means the Agreement signed by the ATSB, OTSI and CITS on the 18<sup>th</sup> of January to collaborate in the investigation of rail transport safety matters under the TSI Act.

**Commissioner** means the Chief Commissioner and a part-time Commissioner.

**Commonwealth credit card undertakings** means the undertaking that is signed by each cardholder to acknowledge that they have been issued with a Commonwealth Credit Card and that they have read and understood the conditions governing the issue and use of the card.

**CRF** (short for Consolidated Revenue Fund) in accordance with section 8 of the *Public Governance, Performance and Accountability Act 2013* means the Consolidated Revenue Fund referred to in section 81 of the Constitution.

**Department** means the Department of Infrastructure and Regional Development.

**Deputy Chief Investigator (OTSI)** means the person occupying the position of Deputy Chief Investigator within OTSI.

**Director Transport Safety (TLTSI)** means the person occupying the position of Director Transport Safety.

**EA** means the *Australian Transport Safety Bureau Enterprise Agreement 2015*.

**EL 1** means an APS employee who is classified as an Executive Level 1 employee under the Classification Rules.

**EL 2** means an APS employee who is classified as an Executive Level 2 employee under the Classification Rules.

**Emergency services organisation** has the same definition as in the REPCON regulation.

**Executive Assistant** means the person occupying the position of Executive Assistant.

**Executive Assistant (OTSI)** means the person occupying the position of Executive Assistant within OTSI.

**Executive Director (SES 2)** means the person occupying the position of Executive Director, Transport Safety.

**Executive Officer (EL 1)** means the person occupying the position of Executive Officer.

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**Finance (EL 1)** means the person occupying the EL 1 position in the Finance team.

**Finance Minister's Delegation** means the Public Governance, Performance and Accountability (Finance Minister to Accountable Authorities of Non-Corporate Commonwealth Entities) Delegation 2014, as amended, or any later instrument made by the Finance Minister delegating to Accountable Authorities the functions and powers of the Finance Minister in the PGPA Act.

**FOI and Governance Officer (APS 5)** means the person occupying the FOI and Governance Officer position in Legal Services.

**Human Resources (EL 1)** means the person occupying the EL 1 Manager, Human Resources, position in the Organisational Development team.

**Learning & Development (EL 1)** means the person occupying the EL 1 Manager, Learning and Development, position in the Organisational Development team.

**Legal Services Directions** means the Legal Services Directions 2005 issued by the Attorney-General under section 55ZF of the *Judiciary Act 1903*.

**Manager Communications (EL 2)** means the person occupying the position of Manager Communications position.

**Manager ICT / Business Services (EL 2)** means the person occupying the position of Manager ICT / Business Services.

**Manager International / Projects (EL 2)** means the person occupying the position of Manager International / Projects.

**Manager Legal and Governance (EL 2)** means the person occupying the position of Manager Legal and Governance.

**Manager Organisational Development (EL 2)** means the person occupying the position of Manager, Organisational Development.

**Manager Safety Reporting (EL 2 or EL 1)** means the person occupying the position of Manager Safety Reporting.

**Manager Technical and Investigation Support (CITS)** means the person occupying the position of Manager Technical and Investigation Support within CITS.

**Manager Transport Safety (TLTSI)** means the person occupying the position of Manager Transport Safety.

**Monetary claim** means a monetary claim against the Commonwealth and monetary claims by the Commonwealth for which the Department has responsibility other than a monetary claim that must be determined under a legislative or contractual mechanism.

**NCMRS Regulations** means the *Navigation (Confidential Marine Reporting Scheme) Regulations 2008*.

**New Law** means the TSI Act as in force after 1 July 2009.

**Office Manager (CITS)** means the person occupying the position of Office Manager within CITS.

**Old Law** means the TSI Act as in force before 1 July 2009.

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**Other CRF money** in accordance with section 8 of the PGPA Act is money that forms part of the CRF other than: relevant money; or any other money of a kind prescribed by the rules.

**OTSI** means the Office of Transport Safety Investigations in New South Wales referred to in subsection 45(4) of the *Transport Administration Act 1988* (NSW).

**Part-time Commissioner** means a Commissioner appointed on a part-time basis in accordance with subsection 13(2) of the TSI Act.

**PGPA Act** means the *Public Governance, Performance and Accountability Act 2013*.

**PGPA Rule** means a *Public Governance, Performance and Accountability Rule* issued by the Finance Minister under section 101 of the PGPA Act.

**PID Act** means the *Public Interest Disclosure Act 2013*.

**Principal Lawyer (EL 1)** means the person occupying the position of a Principal Lawyer in Legal Services.

**Principal Officer (PID)** under the *Public Interest Disclosure Act 2013* (PID Act) in accordance with section 73 of the PID Act, is the Chief Executive Officer of the ATSB.

**Principal Officer (SRC)** under the *Safety, Rehabilitation and Compensation Act 1988* (SRC Act), in accordance with the meaning in section 4 of the SRC Act, is the Chief Executive Officer of the ATSB.

**PS Act** means the *Public Service Act 1999*.

**PS Commissioner's Directions** mean the *Australian Public Commissioner's Directions 2013*.

**PS Regulations** means the *Public Service Regulations 1999*.

**Public resources** means relevant money, relevant property or appropriations.

**Rehabilitation Authority** under the *Safety, Rehabilitation and Compensation Act 1988* (SRC Act), in accordance with the meaning in section 4 of the SRC Act, is the ATSB.

**Relevant money** in accordance with section 8 of the PGPA Act is money standing to the credit of any bank account of the ATSB or money that is held by the ATSB.

**Relevant property** in accordance with section 8 of the PGPA Act is property (other than relevant money) or any other thing prescribed by the PGPA Rules that is owned or held by the ATSB.

**REPCON** means the scheme established under the REPCON regulation.

**REPCON Marine** means the scheme established under subregulation 5(1) of the NCMRS Regulations for confidential reporting of reportable safety concerns.

**REPCON regulation** means the *Transport Safety Investigation (Voluntary and Confidential Reporting Scheme) Regulation 2012*.

**Reportable safety concern** has the same definition as in the REPCON regulation.



**Safety Reporting Officer (APS 5 or APS 6)** means the person occupying the APS 5 position of Safety Reporting Officer in Reporting, Short Investigations and Research team.

**Senior Investigator (CITS)** means the person occupying the position of Senior Investigator within CITS.

**SES 1** means an SES employee who is classified as a Senior Executive Service Band 1 employee under the Classification Rules.

**SES 2** means an SES employee who is classified as a Senior Executive Service Band 2 employee under the Classification Rules.

*Note* Section 17AA and subsection 46(1) of the *Acts Interpretation Act 1901* incorporate the definition of SES employee from the *Public Service Act 1999*.

**SRC Act** means the *Safety, Rehabilitation and Compensation Act 1988*.

**STSI (EL 1)** means a Senior Transport Safety Investigator as referred to in Clause 9 of the Australian Transport Safety Bureau Enterprise Agreement 2015.

**STSI (EL 2)** means a Senior Transport Safety Investigator as referred to in Clause 9 of the Australian Transport Safety Bureau Enterprise Agreement 2015.

**TLTSI** means Team Leader Transport Safety Investigation as referred to in Clause 9 of the Australian Transport Safety Bureau Enterprise Agreement 2015.

**Transport safety authority** has the same meaning as in the REPCON regulation.

**Transport Safety Investigator (OTSI)** means the person occupying the position of Transport Safety Investigator within OTSI.

**TSI (APS 6)** means a Transport Safety Investigator as referred to in Clause 9 of the Australian Transport Safety Bureau Enterprise Agreement 2015.

**TSI Act** means the *Transport Safety Investigation Act 2003*.

#### 4 Authorisation

(1) Each of the persons for the time being occupying or performing the duties of the following positions:

- SES 2
- SES 1
- Director Transport Safety (TLTSI)
- Manager Communications (EL 2)
- Manager ICT / Business Services (EL 2)
- Manager International / Projects (EL 2)
- Manager Legal and Governance (EL 2)
- Manager Organisational Development (EL 2)
- Manager Safety Reporting (EL 2 or EL 1)
- Manager Transport Safety (TLTSI)

to exercise all of my powers and functions under the Act.

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(2) The persons for the time being occupying or performing the duties of the position of:

- Senior Governance Officer (EL 1)
- Principal Lawyer (EL 1)
- FOI and Governance Officer (APS 5)

to exercise my powers and functions under section 29 of the Act.

## **5 References to branch or section**

Unless the contrary intention appears, a reference to a branch or section is a reference to such organisational structure within the ATSB.

## **6 Revocations**

(1) This instrument revokes the *Chief Executive Officer's Freedom of Information Act 1982 Authorisation Instrument 2017 (No.2 [ATSB 31/2017])*.