



Freedom of Information Act 1982

Instrument of Authorisation

I, Gordon de Brouwer, Secretary of the Department of the Environment and Energy under sections 10A and 23(1) of the *Freedom of Information Act 1982*, hereby:

- (1) revoke all existing authorisations under these provisions of the Act in respect of this Department and its predecessors; and
- (2) authorise each officer who from time to time holds, or occupies or performs the duties of a position in an authorisation group listed in Schedule 1 to this instrument to exercise my powers and functions that are specified in Schedule 2, subject to any limitation specified in this instrument.

Gordon de Brouwer

Gordon de Brouwer

Dated: 17/5/17

Schedule 1 – FOI authorisation groups

Group	Local Description	Classification
1	Deputy Secretary First Assistant Secretary	SES B3 SES B2 and equivalent
2	Assistant Secretary	SES B1 and equivalent
3	Principal Legal Officer, General Counsel Branch, with functional responsibility for Freedom of Information	PLO
4	Senior Legal Officer, General Counsel Branch, with functional responsibility for Freedom of Information	SLO
5	Legal Officer and APS5/6 staff in General Counsel Branch with functional responsibility for Freedom of Information	LO/APS5/APS6

Schedule 2 – FOI Authorisations

Power or function	Authorisation group				
	1	2	3	4	5
Information publication					
Sections 8 and 8D – Determine and authorise publication of information under Department's Information Publication Scheme obligations and make any associated decisions.	X	X			
Primary requests for access to documents					
Parts III and IV - Make all decisions and discharge all functions in relation to primary requests for access to documents <i>Limitation: Officers who are acting in a position falling in authorisation group 2 for a period less than twelve weeks must not make access grant or access refusal decisions.</i>	X	X			
Section 15(2) and 15(2A) - Decide to refuse a primary request that does not meet the validity requirements of the Act.			X	X	
Section 15(5)(a) - Acknowledge receipt of a primary request			X	X	X
Sections 15AA, 15AB and 15AC(4) - Request that processing time be extended			X	X	
Section 16 – Decide to seek transfer of a primary request			X		
Internal review					
Part VI – Make all decisions and discharge all functions in relation to internal review requests	X				
Section 54B(1)(b)(i) - Grant to applicant extension of time for making an internal review application		X			
Section 54D(3) - Apply to the Information Commissioner for an extension of time to deal with an internal review application		X	X	X	
Information Commissioner and Administrative Appeals Tribunal reviews					
Parts VII and VIIA - Make all decisions and discharge all functions in relation to Information Commissioner and AAT applications	X				
Section 55E - Provide statement of reasons to the Information Commissioner		X			
Section 55G(1) - Vary an access refusal decision during an Information Commissioner review process		X			

Power or function	Authorisation group				
	1	2	3	4	5
<i>Amendment and annotation of records</i>					
Sections 49 and 51A - <i>Make decisions on validity of requests for amendment or annotation of records</i>	X	X	X	X	
Section 51C - <i>Make decisions in relation to transfer of requests for amendment or annotation of records</i>	X	X	X	X	
Sections 50, 51, 51B, 51D and 51DA - <i>Make decisions requests for amendment or annotation of records</i>	X	X			
<i>Miscellaneous</i>					
Sections 89K(3) and 89M(3) - <i>Apply to the Information Commissioner for a vexatious applicant decision and notify the applicant of the decision</i>	X				
Various provisions – <i>Implement decisions made by authorised officers and provide notifications specified in the Act</i>			X	X	X