

PUBLIC RECORDS ACCESS DELEGATION OF AUTHORITY FORM

The chief executive of a responsible public authority under the *Public Records Act 2023* (the Act) may use this form to delegate their responsibilities under the Act to provide restricted access notices and/or approve access to your public authority's restricted records in the custody of Queensland State Archives (QSA).

About delegations of authority for records access:

- Delegates must be appropriately qualified. The following attributes should be considered when determining qualification to execute the relevant powers under the *Public Records Act 2023*:
 - Knowledge and understanding of the public authority's records and functions, including the ability to assess records and determine their sensitivity, cultural significance, and potential impact on privacy
 - Sufficient seniority to authorise the release of information
 - Capacity to respond to requests within mandated response times of 35 days under s38
 - Awareness of relevant legal frameworks, including any legislation governing the authority's functions, the *Public Records Act 2023*, the *Right to Information Act 2009*, the *Information Privacy Act 2009*, the *Path to Treaty Act 2023* and the *Human Rights Act 2019*
 - Understanding of importance of records to First Nations peoples and ability to receive advice from appropriate knowledge holders to make informed determinations regarding sensitivity of records relating to First Nations peoples and cultures.
- Delegations may be either to nominated individuals (by name) or to a nominated position (by position title)
- Authority may be delegated to a position or individual within or external to the relevant public authority. Use the 'Public authority or service provider (if different to responsible agency)' section to indicate if a position or individual is external to the relevant public authority.
- If no delegates are authorised, all public records access matters will require authorisation from the chief executive, in accordance with the Act.
- QSA may request that authorised delegates for records access provide nominations for other roles relating to the public authority's records at QSA, such as ArchivesGateway Security Administrators and Senior Agency Administrators.

Find out more about delegating authorisations, [restricted access notices](#), and [providing access to restricted records](#) on our website.

Completing this form:

- Complete the delegate information for each authorised delegate. Use the 'add another delegate' option to add additional delegates.
- All fields are mandatory unless otherwise specified.
- Return the completed and signed form in PDF format to QSA at discovery@archives.qld.gov.au

Delegate information – Delegate 1.

1. Delegate details

Nominate the authorised officer position or individual below:

Position title (preferred) or name of Individual:	
Public authority or service provider (if different to responsible agency):	
Email:	Phone:
Note: If nominating an individual, the email address must include the individual's name, e.g. Jane.Smith@...; jbloggs@...; JaneD@...	

2. Scope of authorisation

In addition to the chief executive, the officer detailed above is authorised to:

<input type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Provide restricted access notices and associated restriction details under ss.28-32 and schedule 2 of the <i>Public Records Act 2023</i>.</p> <p>Under s28 of the <i>Public Records Act 2023</i>, records in QSA's custody are open to the public unless they are regulated or contain restricted information. If records are regulated or contain restricted information, public access to records may be restricted for a period of time known as a RAP.</p> <p>During the RAP, access can be granted by the chief executive or authorised delegate or an application for access can be made under the <i>Information Privacy Act 2009</i> or the <i>Right to Information Act 2009</i>.</p>
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Approve access to restricted records under s.38 of the <i>Public Records Act 2023</i></p> <p>If the RAP for a public record in the custody of QSA has not ended, access may be granted by the chief executive or nominated delegate of the responsible public authority.</p> <p>Under s38, <u>requests must be responded to within 35 days</u> of receipt by the responsible public authority. If access is refused or conditions are imposed, QSA must be advised of the reason.</p>

Delegate information – Delegate 2. (if required)

1. Delegate details

Nominate the authorised officer position or individual below:

Position title (preferred) or name of Individual:

Public authority or service provider (if different to responsible agency):

Email:

Phone:

Note: If nominating an individual, the email address must include the individual's name, e.g. Jane.Smith@...; jbloggs@...; JaneD@...

2. Scope of authorisation

In addition to the chief executive, the officer detailed above is authorised to:

<input type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Provide restricted access notices and associated restriction details under ss.28-32 and schedule 2 of the <i>Public Records Act 2023</i>.</p> <p>Under s28 of the <i>Public Records Act 2023</i>, records in QSA's custody are open to the public unless they are regulated or contain restricted information. If records are regulated or contain restricted information, public access to records may be restricted for a period of time known as a RAP.</p> <p>During the RAP, access can be granted by the chief executive or authorised delegate or an application for access can be made under the <i>Information Privacy Act 2009</i> or the <i>Right to Information Act 2009</i>.</p>
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<p>Approve access to restricted records under s.38 of the <i>Public Records Act 2023</i></p> <p>If the RAP for a public record in the custody of QSA has not ended, access may be granted by the chief executive or nominated delegate of the responsible public authority.</p> <p>Under s38, <u>requests must be responded to within 35 days</u> of receipt by the responsible public authority. If access is refused or conditions are imposed, QSA must be advised of the reason.</p>

*To add another delegate, make another copy of this page.

Nominated email for access requests

This email address will be **used for system generated communication** to your agency regarding access to closed records, including requests from other agencies and members of the public.

A **generic email address is recommended** (e.g. records@...) rather than that of an individual.

Please ensure that the email account nominated below is accessible by those with authority to approve access to restricted records, or processes are in place for requests to be forwarded to them.

Nominated email address (generic recommended)*:

Chief executive authorisation

In accordance with s282 of *Public Sector Act 2022*, I hereby:

- affirm that I am the chief executive for the relevant public authority under s11(4) of the *Public Records Act 2023*; and
- authorise the delegates nominated in this document to act on my behalf in the execution of the specified responsibilities under the *Public Records Act 2023*, whom I consider to be appropriately qualified for this purpose.

This delegation supersedes and revokes any prior version of this delegation.

Chief executive name:

Position title:

Name of public authority:

Preferred email*:

Phone:

Signature:

Date:

***Note:** Preferred email will be used for communication if no delegates are nominated

This form can be signed digitally if your agency has appropriate processes in place to ensure the signature's authenticity. Digitally signed forms must be saved as PDF before submitting to QSA.