

***Monitoring of Places of Detention (Optional Protocol to the  
Convention Against Torture) Act 2018 (ACT)***

**INSTRUMENT OF DELEGATION**

I, Iain Anderson, ACT Ombudsman,

1. **Delegate** under section 81 of the *Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Act 2018 (ACT)* to each member of my staff from time to time holding, occupying or performing the duties of a position or appointment in the Office of the Commonwealth Ombudsman specified in column 1 of the schedule to this instrument, the functions conferred on me by the provisions of the Act specified in the corresponding parts of column 2 of the schedule.

Made in Canberra on

MAY - FIVE

March 2025



Iain Anderson  
ACT Ombudsman

## SCHEDULE A

### DELEGATION

Powers and functions under the *Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Act 2018 (ACT)*

Column 1 Ombudsman staff	Column 2 Functions	Column 3 Description
APS 5, APS 6 and Assistant Director (EL1) in the ACT Strategy & Inspector Team	s 8D	Functions of the NPM
	s 8J <i>other than subsection 8J(3)</i>	Inspection of place of detention
	s 8L	Access to detainees and other people
	s 8O	NPM may keep document or other thing
	s 8Q <i>other than subsections 8Q(2), (3), (4) and (5)</i>	Treatment of detainees in places of detention - preparation of a report
	s 8U <i>other than subsection 8U (5)</i>	Referral to investigative entity
	s 8W	Identification of NPM
Director ACT Strategy & Inspector (EL2)	All powers delegated to APS5, APS6 and EL1s	
	s 8H <sup>i</sup>	Consultants and contractors
	s 8J	Inspection of a place of detention
	s 8M	Access to information, documents and other things
	s 8P	Make recommendations and observations following inspection
Senior Assistant Ombudsman, Defence, Investigations, ACT and Legal	s 8Q	Treatment of detainees in places of detention - preparation of a report
	All powers delegated to EL2	
	s 8G <sup>ii</sup>	Arrangements for staff
Deputy Ombudsman	s 8R <i>other than subsections 8R(1)(b) and 8R(1)(c)</i>	Publication of a report
	All powers capable of being delegated, except s 8E, s 8I, and subsections 8R(1)(b), s8R(1)(c)	

<sup>i</sup> To be exercised in line with *Instrument of and Giving of Directions under the Public Governance, Performance and Accountability Act 2013 (Cth) and Public Governance and Accountability Rule 2014 (Cth)*.

<sup>ii</sup> To be exercised in line with the *Instrument of Delegation for Human Resources Related Matters*.