

### *Fair Work Act 2009*

## DELEGATIONS OF POWERS AND FUNCTIONS

I, **Natalie James**, the Fair Work Ombudsman, revoke the previous authorisation made by me on 17 April 2014 and pursuant to subsection 683 of the *Fair Work Act 2009* (the Act), hereby delegate to each of the staff members of the Office of the Fair Work Ombudsman holding, occupying, or performing the duties of a position identified in column B of the following table the corresponding powers and functions specified in column A of the table.

COLUMN A Power/Function	COLUMN B Delegate(s)
Determine that a person is entitled to an amount payable in accordance with subsection 559(3) of the Act	<ul style="list-style-type: none"> <li>• Deputy FWO – Operations</li> <li>• Deputy FWO – Corporate</li> <li>• Executive Director – Finance, Research and Governance</li> <li>• Executive Director - Dispute Resolution &amp; Compliance</li> <li>• Executive Director - Proactive Compliance &amp; Education</li> </ul>
Pay an amount of unclaimed moneys to a person in accordance with subsection 559(3) of the Act	<ul style="list-style-type: none"> <li>• Deputy FWO – Operations</li> <li>• Deputy FWO – Corporate</li> <li>• Executive Director – Finance, Research and Governance</li> <li>• Executive Director - Dispute Resolution &amp; Compliance</li> <li>• Executive Director - Proactive Compliance &amp; Education</li> </ul>
Determine that representation of an employee or outworker who are, or may become, a party to proceedings in a court, or a party to a matter before the Fair Work Commission, under the Act or a fair work instrument will promote compliance with the Act or the fair work instrument in accordance with subsection 682(f) of the Act	<ul style="list-style-type: none"> <li>• Deputy FWO – Operations</li> <li>• Chief Counsel</li> <li>• Executive Director - Dispute Resolution &amp; Compliance</li> <li>• Executive Director - Proactive Compliance &amp; Education</li> </ul>
Determine that a person may accompany an Inspector onto premises to assist the Inspector in accordance with subsection 710(1) of the Act	<ul style="list-style-type: none"> <li>• Deputy FWO – Operations</li> <li>• Executive Director - Dispute Resolution &amp; Compliance</li> <li>• Executive Director - Proactive Compliance &amp; Education</li> <li>• Dispute Resolution &amp; Compliance employees engaged as Executive Level 2 employees</li> <li>• Director – Small Business Strategy &amp; Campaigns</li> </ul>

Form a reasonable belief that a person has contravened a civil remedy provision in accordance with subsection 715(1) of the Act for the purposes of accepting an enforceable undertaking under subsection 715(2) of the Act	<ul style="list-style-type: none"> <li>• Chief Counsel</li> <li>• Deputy FWO – Operations</li> <li>• Executive Director – Dispute Resolution and Compliance</li> <li>• Executive Director - Proactive Compliance &amp; Education</li> </ul>
Accept a written undertaking in accordance with subsection 715(2) of the Act	<ul style="list-style-type: none"> <li>• Chief Counsel</li> <li>• Deputy FWO – Operations</li> <li>• Executive Director – Dispute Resolution and Compliance (for matters concerning underpayments of less than \$200,000)</li> <li>• Executive Director - Proactive Compliance &amp; Education (for matters concerning underpayments of less than \$200,000)</li> </ul>
Provide consent to withdraw or vary an undertaking in accordance with subsection 715(3) of the Act	<ul style="list-style-type: none"> <li>• Chief Counsel</li> <li>• Deputy FWO – Operations</li> <li>• Executive Director – Dispute Resolution and Compliance (for matters concerning underpayments of less than \$200,000)</li> <li>• Executive Director - Proactive Compliance &amp; Education (for matters concerning underpayments of less than \$200,000)</li> </ul>
Consider that a person who has given an undertaking has contravened any of its terms in accordance with subsection 715(6) of the Act	<ul style="list-style-type: none"> <li>• Chief Counsel</li> <li>• Deputy FWO – Operations</li> <li>• Executive Director – Dispute Resolution and Compliance (for matters concerning underpayments of less than \$200,000)</li> <li>• Executive Director - Proactive Compliance &amp; Education (for matters concerning underpayments of less than \$200,000)</li> </ul>
Form a reasonable belief that it is necessary or appropriate for information to be disclosed in accordance with subsection 718(2) of the Act	<ul style="list-style-type: none"> <li>• Employees engaged at Executive Level 1 or above</li> </ul>
Disclose, or authorise the disclosure of information in accordance with subsection 718(2) of the Act	<ul style="list-style-type: none"> <li>• Employees engaged at Executive Level 1 or above</li> </ul>
Form a reasonable belief that it is necessary or appropriate for information to be disclosed to the Minister in accordance with subsection 718(3) of the Act	<ul style="list-style-type: none"> <li>• Members of staff engaged at the Senior Executive Service level</li> </ul>
Disclose, or authorise the disclosure of, information to the Minister in accordance with subsection 718(3) of the Act	<ul style="list-style-type: none"> <li>• Members of staff engaged at the Senior Executive Service level</li> </ul>
Form a reasonable belief that it is necessary or appropriate for information to be disclosed to the Department in accordance with subsection 718(4) of the Act	<ul style="list-style-type: none"> <li>• Members of staff engaged at the Senior Executive Service level</li> </ul>
Disclose, or authorise the disclosure of, information to the Department in accordance with subsection 718(4) of the Act	<ul style="list-style-type: none"> <li>• Members of staff engaged at the Senior Executive Service level</li> </ul>

All delegations must be exercised in accordance with any directions that may be issued from time to time.

Dated 10 November 2015

A handwritten signature in black ink, appearing to read 'Natalie James', written in a cursive style.

Natalie James

Fair Work Ombudsman

Office of the Fair Work Ombudsman