



ACT
Government

Chief Minister, Treasury and
Economic Development

INFORMATION PRIVACY POLICY

ANNEXURE A –

APPLICABLE ENTITIES

December 2015

Entities to which the CMTEDD Information Privacy Policy applies

The following entities have adopted the *CMTEDD Information Privacy Policy*. References within the document to 'Directorate' and 'CMTEDD' apply to CMTEDD and to these entities.

ACT Compulsory Third-Party Insurance Regulator

The Australian Capital Territory Compulsory Third-Party Insurance Regulator (CTP regulator) is a territory authority (corporation) established under section 14 of the *Road Transport (Third-Party Insurance) Act 2008* (CTP Act) to regulate compulsory third-party (CTP) insurance in the Territory. Under section 14 of the Act¹ the Director-General of the administering directorate is the CTP regulator.

The functions of the CTP regulator are specified in section 14A of the Act and include:

- Regulating the licensing of CTP insurers.
- Monitoring the behaviour of licensed CTP insurers in relation to their obligations under the Act.
- Improving health outcomes for claimants.
- Monitoring the efficiency of the CTP scheme under the Act and identifying areas for amendment.
- Ensuring that all premiums meet the fully funded test and are not excessive.

ACT Construction Occupations Registrar

The ACT Construction Occupations Registrar (Registrar) is established under section 103 of the *Construction Occupations (Licensing) Act 2004* and is appointed by the Director-General. The Registrar:

- Oversees the administration of the Act and its operational Acts.
- Regulates the building industry.
- Audits the work of construction occupations.
- Investigates complaints against and disciplines construction occupation professionals.
- Oversees inspection of building, electrical, plumbing, drainage and gas-fitting work.

ACT Insurance Authority (ACTIA)

The Australian Capital Territory Insurance Authority (ACTIA) is a territory authority (corporation) established under section 7 of the *Insurance Authority Act 2005*. ACTIA provides insurance protection and risk management advice for the ACT Government and is responsible to the ACT Treasurer.

The functions of ACTIA are specified in section 8 of the Act and include:

- Carrying on the business of insurer of Territory risks.
- Insuring of Territory risks with other entities.

¹ References to 'the Act' for each entity included in this Annexure refer to the Act noted for that entity, not the *Information Privacy Act 2014* as is the case for the main body of this Policy.

- Managing claims in relation to Territory risks.
- Promoting good risk management practices.
- Providing advice to the Minister about insurance and the management of Territory risks.

Chief Inspector Scaffolding and Lifts

The Chief Inspector for Scaffolding and Lifts is established under section 5 the *Scaffolding and Lifts Act 1912* and is appointed by the Minister.

Clinical Waste Controller

The Clinical Waste Controller (Controller) is established under section 7 of the *Clinical Waste Act 1990* and is appointed by the Director-General. The Controller has responsibility for approving transporters of clinical waste in the ACT.

Commissioner for ACT Revenue

The Commissioner for ACT Revenue (Commissioner) is a statutory position appointed by the Minister (ACT Treasurer) under section 73 of the *Taxation Administration Act 1999*. The Commissioner administers the Act and other tax laws through the actions of the ACT Revenue Office, which assists in:

- Developing a simple and equitable tax system for the ACT.
- Implementing administrative and regulatory processes for revenue collection which are efficient and cost effective.

The ACT Revenue Office collects revenue, develops tax policy and administers taxation legislation in the ACT, administers a number of Government financial assistance schemes and administers the Home Loan Portfolio on behalf of the ACT Commissioner for Housing.

Commissioner for Fair Trading

The Commissioner for Fair Trading (Commissioner) is appointed by the Director-General under Section 32 of the *Fair Trading (Australian Consumer Law) Act 1992*. The functions of the Commissioner are specified in section 33 of the Act and include that they may:

- Receive complaints about fraudulent conduct or unfair practices in relation to the supply of goods or services or the acquisition of interests in land.
- Deal with the complaints in a way considered appropriate, including investigating or referring them for appropriate action.
- Investigate compliance with fair trading legislation.
- Conduct other investigations and research into consumer and fair trading issues and practices.
- Inspect records and accounts that must be kept under fair trading legislation.
- Provide information and guidance to, the public about consumer and fair trading issues and practices.

Public Sector Standards Commissioner

The office of the Public Sector Standards Commissioner (Commissioner) is established under the *Public Sector Management Act 1994* and is appointed by the Chief Minister.

Division 8.1 of the Act outlines the central functions of the Commissioner, which are:

- to conduct investigations about a matter declared by the Chief Minister in the way prescribed, and in accordance with subsection 2 (which allows the Commissioner to exercise a function given to the Head of Service under an industrial instrument in relation to an investigation, appeal or review).
- to provide advice to the Chief Minister about matters arising from an investigation conducted by the Commissioner;
- in connection with an investigation conducted by the Commissioner—to promote and provide advice about the public sector values, principles and conduct required under the Act; and
- to exercise any function given to the commissioner under the Act or another law applying in the Territory.

Default Insurance Fund

The Default Insurance Fund (DI Fund) is established under section 166 of the *Workers Compensation Act 1951* to provide compensation to workers employed in the private sector for injuries arising out of, or in the course of, their employment. Under section 166C of the Act the Director-General appoints the DI Fund Manager.

The DI Fund provides a safety net to meet the cost of workers' compensation claims made by workers in circumstances where:

- An employer does not have a workers' compensation insurance policy and cannot meet the claim costs payable under the Act.
- An employer's insurance company is wound up under the *Corporations Act 2001* (Cwth) or cannot provide the indemnity required to be provided under a compulsory workers' compensation policy.

The DI Fund meets the cost of any awards and claims for workers' compensation, including the payment of weekly compensation, medical expenses and rehabilitation costs, as well as compensation settlements and any common law judgments or settlements.

Director of Territory Records

The position of Director of Territory Records (DTR) is established under section 32 of the *Territory Records Act 2002*, and is appointed by the Minister under section 34 of that Act. The functions of the DTR are specified in section 33 of the Act. The Territory Records Office, led by the DTR, is the archives authority and recordkeeping regulator for the ACT Government. Its functions include:

- Developing and approving standards and codes for records management.
- Monitoring and regulating the disposal of records by directorates.
- Providing advice, assistance and training on record management.

- Assisting ACT Government directorates to meet their obligations to provide public access to records.
- Maintaining the whole of government records management thesaurus which supports consistent records management practice across the ACT Government.
- Administering copyright licensing across directorates.
- Providing support for the Territory Records Advisory Council.

Environment Protection Authority

The Environment Protection Authority (EPA) is a statutory position established under section 11 of the *Environment Protection Act 1997* and is appointed by the Director-General. The administrative functions of the EPA include:

- Protecting the environment.
- Ensuring decision-making incorporates ecologically sustainable development principles.
- Establishing a single and integrated regulatory framework for environmental protection.
- Encouraging responsibility by the whole community for the environment - general environmental duty of care.

Lifetime Care and Support Commissioner

The Lifetime Care and Support Commissioner (LTCS Commissioner) is a statutory position appointed by the Minister under section 10 of the *Lifetime Care and Support (Catastrophic Injuries) Act 2014*.

The LTCS Commissioner administers the Lifetime Care and Support Scheme (LTCS Scheme). The LTCS Scheme is a no-fault insurance scheme to ensure that people who are catastrophically injured in a motor vehicle accident in the ACT can manage their ongoing treatment, rehabilitation and attendant care needs into the future.

The functions of the LTCS Commissioner are specified in section 11 of the Act and include:

- Monitoring the operation of the LTCS scheme and, in particular, conducting research into and collection of statistics in relation to the scheme's operation.
- Advising the Minister about the administration, efficiency and effectiveness of the LTCS scheme.
- Publicising and distributing information about the LTCS scheme and issuing and monitoring the LTCS guidelines.

Functions in relation to the provision of care, treatment, rehabilitation, long-term support and other services for people who have sustained motor accident injuries include:

- Monitoring those services.
- Supporting and funding programs that will improve delivery of those services.
- Supporting and funding research and education in relation to the delivery of those services.

Registrar, ACT Architects

The Registrar, ACT Architects, is established under section 13 of the *Architects Act 2004*, and is appointed by the Director-General. The Registrar is responsible for managing the administration of the Architects Board and maintaining the Architects Register.

Registrar-General

The Registrar-General is established under section 4 of the *Registrar-General Act 1993*, and is appointed by the Director-General. The Registrar-General is a corporation sole by the name of the Registrar-General of the ACT, and has the functions given to it by any law in force in the ACT.

Work Safety Commissioner

The Work Safety Commissioner (Commissioner) is a statutory position established under section 2.17 of the *Work Health and Safety Act 2011*, and is appointed by the Executive. The primary functions of the Work Safety Commissioner are to:

- Promote an understanding and acceptance of as well as compliance with the Work Safety Act 2008 and associated laws.
- Undertake research and develop educational material for the purposes of promoting health and safety in the ACT.
- Advise the relevant Minister on matters pertaining to health and safety in the ACT.