

## **Legislative Statement: Privacy Amendment Bill – First Reading**

*Presented to the House of Representatives in accordance with Standing Order 272*

### **Introduction**

1. The Privacy Amendment Bill (the Bill) amends the Privacy Act 2020 (the Act) to improve transparency for individuals about the collection of their personal information and better enable individuals to exercise their privacy rights.

### **Provisions of the Privacy Amendment Bill**

2. Section 22 of the Act regulates the collection, storage, use, and disclosure of personal information through 13 information privacy principles that seek to protect the privacy of an individual's personal information while also accommodating legitimate information use by public and private sector agencies.
3. The Bill introduces a new information privacy principle (IPP) 3A into the Act relating to the indirect collection of personal information. It is closely based on the existing IPP 3, which deals with the direct collection of personal information.
4. Under IPP 3A the collecting agency will be required to notify an individual of a range of matters when collecting the individual's information indirectly, including the name and address of the agency, the purposes for which the information is being collected, and the rights of access to, and correction of, the information.
5. The requirement is subject to a number of practical exceptions to ensure the efficient administration of certain public functions and to protect against other unintended consequences. This includes, for example, where an agency believes on reasonable grounds that compliance would prejudice the purposes of collection, or compliance is not reasonably practicable in the circumstances of the particular case.
6. The Bill also makes some technical amendments to address minor issues that have arisen since the Act came into force.