

Which agencies aren't covered by the privacy principles?

There are some bodies that are not covered by the privacy principles. These include Parents and Citizens Associations, government owned corporations, and grammar schools.

There are also some bodies that are not covered in relation to particular functions, such as courts, tribunals and their registries.

Permitted non-compliance with some privacy principles for law enforcement agencies

Occasionally, the Queensland Police Service, the Crime and Misconduct Commission and other agencies are not required to comply with some of the privacy principles if it is necessary for law enforcement.

The definition of 'law enforcement agency' under the *Information Privacy Act 2009* is very broad and can include a specialised unit within an agency.

What should I do if I have a complaint about the way my personal information was collected, stored, used or disclosed?

If you believe a Queensland government agency, including the Office of the Information Commissioner (OIC), has breached your privacy, you should initially lodge your complaint with the Privacy

Officer or another appropriate person within the agency.

What if I am not satisfied with the agency's response to my concerns?

If you have lodged a complaint with the agency, you are not satisfied with the agency's response you can lodge a privacy complaint with OIC if the following apply:

- the alleged breach occurred after 1 December 2009; and
- at least 45 business days have elapsed since you lodged your complaint with the agency.

For more information concerning privacy complaints, visit the OIC's web-site at www.oic.qld.gov.au.

Further Information

If you would like further information relating to the *Information Privacy Act 2009* contact the Privacy Officer within the agency that provided the service.

Alternatively, OIC's Enquiries Service can be contacted between 8:30am and 4:30pm, Monday-Friday on 3234 7373 or by emailing enquiries@oic.qld.gov.au.

For privacy queries involving the Department of Justice and Attorney-General, please contact the Department's Right to Information and Privacy Unit at:
Postal Address: GPO Box 149 Brisbane Qld 4001
Phone: (07) 3239 3439

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YOUR PRIVACY RIGHTS

A quick guide to your rights and public sector agency responsibilities under the *Information Privacy Act 2009*.

Privacy: Protect and Respect

Why is there a focus on privacy?

Every day, public sector agencies collect and deal with personal information in the course of providing services. The Queensland Government is committed to managing your personal information responsibly.

The privacy principles in the *Information Privacy Act 2009* provide strict rules about collecting, storing, using and disclosing personal information. These must be followed by public sector agencies.

What is personal information?

Personal information is information or an opinion, whether true or false, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

Personal information can be spoken or recorded in a database. It can be a video, a photograph, or words or pictures drawn on paper. Personal information can include an individual's:

- date and place of birth
- political and religious beliefs
- financial, criminal or medical records
- street address and phone number
- employment information.

An individual's name is not always needed for the information to be personal information. Sometimes the individual's

identity will be obvious from the information itself.

Public sector agencies must protect the privacy of your personal information and work with you to ensure the personal information is accurate and up to date.

What does the *Information Privacy Act 2009* say about public sector agencies' responsibilities?

Public sector agencies do not necessarily need your permission to collect your personal information, but they should tell you why they are collecting it and what will happen to it.

Any personal information collected by public sector agencies must be:

- directly related to or necessary for a lawful purpose or function of the agency involved
- relevant, up to date and complete
- collected lawfully and fairly
- stored safely and securely.

Generally, your personal information can only be used either for the reason it was collected or for a **directly** related purpose.

There are some exceptions which allow an agency to use your personal information for

another purpose. The exceptions include if it is:

- permitted or required under a law
- essential for law enforcement purposes; and
- likely to prevent or lessen a threat to the life, health or safety of an individual or to public health or safety.

Will my information be provided to anyone else?

At the time it collects your information the public sector agency should tell you who might be given access to your personal information.

Generally, your personal information should not be disclosed to another person unless you have given permission.

However, there are situations where an agency is allowed to disclose your personal information to a third party, similar to the exceptions above.

What about accessing my personal information or amending it?

The *Information Privacy Act 2009* entitles you to access your personal information held by an agency, and to amend it if it is inaccurate, incomplete, out of date, or misleading.

If you wish to access or amend your personal information held by an agency you should contact the agency.