

Department of Justice information request under Queensland privacy principle 6

Requesting investigator

Name		Position title / Investigator No.	
Department		Phone	
Email			
<i>I certify that this information is reasonably necessary for law enforcement purposes pursuant to Queensland Privacy Principle 6.2 (b), 6.2 (c) (Schedule 4, Part 1 (a)(ii), (b), (d), or (e), 6.2 (e), 6.2 (f) (circle the relevant provision) of the Information Privacy Act 2009 (Qld) (IP Act).</i>			
Requesting Investigator Signature		Date	/ /202x

Manager authorisation

Name		Position.	
Department		Phone	
<i>I certify that this information is reasonably necessary for law enforcement purposes pursuant to Queensland Privacy Principle 6.2 (b), 6.2 (c) (Schedule 4, Part 1 (a)(ii), (b), (d), or (e), 6.2 (e), 6.2 (f) (circle the relevant provision) of the Information Privacy Act 2009 (Qld) (IP Act).</i>			
Manager Signature		Date	/ /202x

Requested information and reason for request

Information required from	(agency / business)		
Location / Premises Name			
Date / Time of incident	/ /202x	Investigation No.	
Offence or Suspected Offence being investigated	(eg. Section xx of the xx Act)		
Details of information required			

Details on why the information is necessary for the investigation

If you have any concerns regarding this request for information under QPP 6, please contact the Privacy Unit of your agency.

The collection of information by Department of Justice is necessary for use under QPP 6. In accordance with QPP 6, Department of Justice will not use or disclose the information provided by you for a purpose other than the purpose for which it was collected.

QPP 6—use or disclosure of personal information

Use or disclosure

6.1 If an agency holds personal information about an individual that was collected for a particular purpose (the **primary purpose**), the agency must not use or disclose the information for another purpose (the **secondary purpose**) unless—

- (a) the individual has consented to the use or disclosure of the information; or
- (b) QPP 6.2 applies in relation to the use or disclosure of the information.

6.2 This QPP applies in relation to the use or disclosure of personal information about an individual if—

(a) the individual would reasonably expect the agency to use or disclose the information for the secondary purpose and the secondary purpose is—

- (i) if the information is sensitive information—directly related to the primary purpose; or
- (ii) if the information is not sensitive information—related to the primary purpose; or

(b) the use or disclosure of the information is required or authorised under an Australian law or a court or tribunal order; or

(c) a permitted general situation exists in relation to the use or disclosure of the information by the agency; or

Note—

Permitted general situations are stated in [schedule 4, part 1](#).

(d) the agency is a health agency and a permitted health situation exists in relation to the use or disclosure of the information by the agency; or

Note—

Permitted health situations are stated in [schedule 4, part 2](#).

(e) the agency reasonably believes the use or disclosure of the information is reasonably necessary for one or more enforcement-related activities conducted by a law enforcement agency; or

(f) all of the following apply—

- (i) ASIO has asked the agency to disclose the personal information;
- (ii) an officer or employee of ASIO authorised in writing by the director-general of ASIO for this paragraph has certified in writing that the personal information is required in connection with the performance by ASIO of its functions;
- (iii) the disclosure is made to an officer or employee of ASIO authorised in writing by the director-general of ASIO to receive the personal information; or

Editor's note—

QPP 6.2(f) applies in relation to Queensland agencies and does not correspond to an APP.

(g) all of the following apply—

(i) the use or disclosure is necessary for research, or the compilation or analysis of statistics, in the public interest;

(ii) the use or disclosure does not involve the publication of all or any of the personal information in a form that identifies any individual;

(iii) it is not practicable to obtain the express or implied agreement of each individual the subject of the personal information before the use or disclosure;

(iv) if the personal information is disclosed to another entity—the agency is satisfied on reasonable grounds that the relevant entity will not disclose the personal information to another entity.

Editor's notes—

1 QPP 6.2(g) applies in relation to Queensland agencies and does not correspond to an APP.

2 The [Privacy Act 1988 \(Cwlth\)](#), schedule 1 includes a privacy principle about the disclosure of personal information that is biometric information or biometric templates to an enforcement body in certain circumstances (see APP 6.3).

There is no equivalent QPP for APP 6.3.

6.4 If—

(a) the agency is a health agency; and

(b) [schedule 4, part 2, section 3](#) applied in relation to the collection of the personal information by the agency;

the agency must take reasonable steps to ensure the information is de-identified before the agency discloses it under QPP 6.1 or QPP 6.2.

Written note of use or disclosure

6.5 If an agency uses or discloses personal information in accordance with QPP 6.2(e), the agency must make a written note of the use or disclosure.

Editor's note—

The equivalent APP includes a provision applying to certain private sector entities (see APP 6.6 and APP 6.7).

Schedule 4 Permitted general situations and permitted health situations

sch 4 hdg sub [2023 No. 32 s 74](#)

Part 1 Permitted general situations

1 Collection, use or disclosure

A permitted general situation exists in relation to the collection, use or disclosure by an agency of personal information about an individual if—

(a) both of the following apply—

(i) it is unreasonable or impracticable to obtain the individual's consent to the collection, use or disclosure;

(ii) the agency reasonably believes that the collection, use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of an individual or to public health or safety; or

(b) both of the following apply—

- (i) the agency has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to the agency's functions or activities has been, is being or may be engaged in;
- (ii) the agency reasonably believes that the collection, use or disclosure is necessary in order for the agency to take appropriate action in relation to the matter; or
- (c) both of the following apply—
 - (i) the agency reasonably believes that the collection, use or disclosure is reasonably necessary to assist an entity to locate a person who has been reported as missing;
 - (ii) the collection, use or disclosure complies with a guideline in effect under [chapter 3, part 2](#); or
- (d) the collection, use or disclosure is reasonably necessary for the establishment, exercise or defence of a legal or equitable claim; or
- (e) the collection, use or disclosure is reasonably necessary for the purposes of a confidential alternative dispute resolution process.