

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS

ATTORNEY-GENERAL'S PORTFOLIO

SUPPLEMENTARY BUDGET ESTIMATES 2022 - 2023

PA-Office of the Australian Information Commissioner

LCC-SBE23-107 - DG Institute

Senator David Shoebridge asked the following question on 28 February 2023:

1. Has the Commissioner considered an own motion investigation under section 40(2) of the Privacy Act into the matters raised about DG Institute and Ms Dominique Grubisa? If not, why not?
2. What was the subject of the correspondence the OAIC sent to Ms Grubisa about information received by the Commission?
3. Is the OAIC aware that of the significant number of media stories which speak to concerns about the use of personal information to seek out and target people who potentially face repossession of their homes, or are parties to family law proceedings?
4. Does the OAIC agree that people in this position should not have their personal information misused and should be entitled to expect not to be contacted by 'students' of DG Institute seeking to get their property on the cheap?
5. Does the OAIC propose to take further action in relation to this issue?

The response to the senator's question is as follows:

1. The Commissioner is currently considering information regarding the acts and practices of Ms Dominique Grubisa and Master Wealth Control Pty Ltd t/as DG Institute to determine whether it is desirable to open a Commissioner initiated investigation under the *Privacy Act 1988* (Cth).
2. The Office of the Australian Information Commissioner (OAIC) wrote to Ms Grubisa on 28 November 2022, advising her that the OAIC had received information that entities with which she was associated may be engaging in activities which may breach the Australian privacy Principles (APPs) and requesting that she review her conduct to ensure compliance. The correspondence drew Ms Grubisa's attention to APP3.5, APP3.6 and APP5.1 in particular. Ms Grubisa was advised that the correspondence may be taken into account if complaints are received about that conduct or the Commissioner considers commencing an investigation into those acts or practices.
3. The OAIC is aware of media reports about the acts and practices of Ms Dominique Grubisa and Master Wealth Control Pty Ltd t/as DG Institute.
4. As the national privacy regulator, the OAIC resolves complaints from members of the public regarding privacy non-compliance of regulated entities. The OAIC has not received any formal complaints under the framework of the *Privacy Act 1988* (Cth) from

impacted individuals regarding the conduct of Ms Grubisa. The Commissioner may also open a Commissioner initiated investigation in circumstances where a privacy risk is identified that warrants a formal regulatory response. The Commissioner has published regulatory priorities for the 2022-23 financial year to assist with the prioritisation of privacy risks that come to the attention of the OAIC.

5. The Commissioner is currently considering information regarding the acts and practices of Ms Dominique Grubisa and Master Wealth Control Pty Ltd t/as DG Institute to determine whether it is desirable to open a Commissioner initiated investigation under the *Privacy Act 1988* (Cth).