



Australian Government

Office of the Australian Information Commissioner

Our reference: D2019/012893

Committee Secretary
Senate Standing Committee on Legal and Constitutional Affairs
PO Box 6100
CANBERRA ACT 2600

Clarifications to Hansard

I write to you concerning evidence provided to the Senate Standing Committee on Legal and Constitutional Affairs during the Supplementary Budget Estimates hearing on 22 October 2019.

The Office of the Australian Information Commissioner has the following clarifications:

Evidence of Ms Angelene Falk, Australian Information Commissioner and Privacy Commissioner

Clarification 1

On page 81 of the transcript, in an exchange with Senator Carr, Ms Falk said: "... at present, my funding envelope allows for around 19 case officers to work on FOI reviews".

The Office of the Australian Information Commissioner wishes to clarify that not all of the time of the 19 officers in the FOI section is spent on IC reviews.

That section also performs other FOI regulatory functions including processing FOI extensions of time applications and vexatious applicant declarations, investigating FOI complaints, updating the FOI Guidelines, undertaking FOI monitoring work including in relation to the Information Publication Scheme and Disclosure Logs and analysing and reporting FOI statistics provided by Australian Government agencies.

Clarification 2

On pages 82 and 83 of the transcript, in exchanges with Senator Carr, Ms Falk indicated she had been advised there had been 134 notifications for the third quarter.

The Office of the Australian Information Commissioner wishes to clarify that the quoted figure of 134 notifications was for those notifications made under the mandatory Notifiable Data Breach scheme, received in the period 1 July 2019 to 30 September 2019, that had been assessed as primary notifications prior to the Estimates hearing.

The final number of primary notifications for the period, once all assessments have been completed, will be available in the Notifiable Data Breaches report to be publicly released in February 2020 for the period 1 July 2019 to 31 December 2019.

Yours sincerely

Angelene Falk
Australian Information Commissioner
Privacy Commissioner

21 November 2019