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**Sent:** Sunday, 21 May 2000 12:33 PM  
**To:** 'laca.reps@aph.gov.au'  
**Subject:** Supplementary Submission - Privacy Charter Council

I hope the Committee will be able to take into account the following additional points which arose at a conference last week.

1. Although the Bill contains National Principle 9, concerning overseas transfers, there is no provision for a mechanism for deciding the adequacy of other countries privacy regimes. If businesses are to rely on the first condition of NPP 9 - that "the organisation reasonably believes that the recipient of the information is subject to a law, binding scheme or contract which effectively upholds principles for fair handling of the information that are substantially similar to the National Privacy Principles" then there needs to be some way of the government or preferably the Privacy Commissioner issuing advice as to the adequacy of laws and schemes in other jurisdictions

2. It is highly desirable to include a provision similar to that in the New Zealand Privacy Act for organisations to designate a contact person/position. This person need not be full time or even devote a significant proportion of their time to privacy, but experience in NZ has shown that it is highly beneficial to have a named position in each organisation with whom individuals and the Privacy Commissioner can deal.

3. We also take the opportunity to support the supplementary submission by Professor Greenleaf concerning the desirability of requiring the Government to provide evidence of just what percentage of all Australian businesses will fall within the class of exempt 'small business operators', and what types of businesses will they be. We are surprised that the regulatory impact statement in the explanatory memorandum does not do this, as it is essential in assessing the relative costs and benefits of the proposed exemption.

Thank you

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