



Report on the Privacy Act Amendments Bill tabled in Parliament today

The House of Representatives Standing Committee on Social Policy and Legal Affairs has conducted an inquiry into the Privacy Amendment (Enhancing Privacy Protection) Bill 2012 (the Bill) and has tabled its report in Parliament today. The Bill proposes changes to the *Privacy Act 1988* in response to recommendations made by the Australian Law Reform Commission (ALRC).

On 24 May 2012 the Selection Committee of the House of Representatives referred the Bill for inquiry and report, citing the following reasons for referral/principal issues for consideration:

- the adequacy of the proposed Australian Privacy Principles
- the efficacy of the proposed measures relating to credit reporting
- whether defences to contraventions should extend to inadvertent disclosures where systems incorporate appropriate protections, and
- whether provisions relating to use of depersonalised data are appropriate.

The Committee received 39 submissions from a range of individuals and organisations across Australia, and held a public hearing on 16 August 2012. A Senate Committee has conducted a concurrent inquiry into the Bill. As far as possible, this Committee has endeavoured not to duplicate those areas it anticipates the Senate will consider in detail.

The Committee has examined the Bill to ensure that an appropriate balance between privacy protection and the convenient flow of data has been achieved. The Committee recognises that considerable consultation has gone on prior to the introduction of this Bill to the House, and that many of the provisions proposed are the enactment of recommendations made in the ALRC review. In addition the Committee notes that the Attorney-General's Department is continuing to consult with stakeholders to resolve a number of the implementation details around this Bill and to discuss further possible consequences of the Bill.

Given the complexity of issues and the global nature of business, the Committee has heard that there remain many areas of concern to industry and consumer advocates. The Committee has recommended that the Bill be passed by the House of Representatives, subject to a review of the functioning of the new privacy regime twelve months after the Bill commences. The Committee has also recommended that suitable educational and explanatory material be developed prior to the commencement of the Act to ensure that individuals understand their new privacy rights, and that industry are fully aware of their obligations under the Act.

The report is available at www.aph.gov.au/spla. Printed copies will not be available.

For further information please visit the Committee website www.aph.gov.au/spla

For media comment , please contact the Committee Chair, Mr Graham Perrett MP, on (07) 3344 2622 or 0434058200.	
For background information , please contact the Secretariat of the Committee on Social Policy and Legal Affairs :	
PO Box 6021	Telephone: 02 6277 4969
PARLIAMENT HOUSE	Facsimile: 02 6277 4427
CANBERRA	E-mail: spla.reps@aph.gov.au
ACT 2600	Website: www.aph.gov.au/spla