



Level 8 Piccadilly Tower  
133 Castlereagh Street  
Sydney NSW 2000  
GPO Box 5218  
Sydney NSW 2001

P +61 2 9284 9800  
F +61 2 9284 9666  
privacy@privacy.gov.au

Enquiries 1300 363 992  
TTY 1800 620 241  
www.privacy.gov.au

ABN 13 152 473 225

Our reference: P08/36

Mr. Peter Hallahan  
Committee Secretary  
Senate Legal and Constitutional Committee  
Department of the Senate  
PO Box 6100  
Parliament House  
Canberra ACT 2600

Dear Mr Hallahan

**Inquiry into the Personal Property Securities Bill 2008 [Exposure Draft]**

I refer to the question we took on notice at our appearance before the Committee on Friday 23 January 2009. The question was whether a person or an organisation seeking access to the Register should have to be identified before obtaining information from the Register and, if so, how would they be identified.

Identifying all users of the Register may be an option that is considered in the design of the Register scheme to assist in protecting the personal information held on the Register. However, the personal information that may need to be collected and stored to identify all users could potentially be a larger store of personal information than the Register itself.

The Office suggests that, as part of the Privacy Impact Assessment that the Attorney General's Department is undertaking, an analysis of the proportionality of the impact of requiring all users to provide personal information before accessing the Register, relative to the potential privacy harm from inappropriate access to the personal information held on the Register, be included.

It may be that such an analysis could identify that this option would be a disproportionate response or that other, less privacy intrusive, methods of mitigating any potential risk could be used.

I hope this information is of assistance to the Committee.

Yours sincerely

Timothy Pilgrim  
Deputy Privacy Commissioner

2 February 2009