

Update Privacy Law and Practice

Service 113 — February 2021

UPDATED MATERIAL IN SERVICE 113 INCLUDES:

Commentary

Privacy Act 2020

Additions have been made to the commentary on the Privacy Act 2020 in the following sections:

- PA 13.8 Privacy Commissioner policies
- PA21.8 Section 21(c) Cultural perspectives
- PA32.5 Existing codes of practice
- PA32.16 Section 32(4)(c) Complaints procedures in existing codes
- PA32.17 Section 32(4)(d) Reviews of existing codes
- PA32.18 Restriction on access to ‘linked traffic information’ dropped from Telecommunications Information Privacy Code
- PA112.8 Breaches involving unavailability of personal information
- PA117.4 Incremental notification
- PA117.5 An Australian example of a “best practice” notification
- PA123.9 Compliance notices can be concurrent with other processes
- PA123.10 “An action that is to be treated as a breach of an IPP or an interference with the privacy of an individual under another Act”
- PA123.11 “An action that is to be treated as a breach of an IPP or an interference with the privacy of an individual under another Act”
- PA124.4 Other factors that the Privacy Commissioner may consider
- PA124.5 “Whether the agency has been co-operative in all dealings with the Commissioner”
- PA126.3 Responding to a compliance notice
- PA129.4 Privacy Commissioner’s Compliance Notice Guidelines
- PA136.5 Royal Commission of Inquiry into the Attack on Christchurch Mosques
- PA193.10 Section 193(2)(a): Considerations for Commissioner: Whether transfer affects any individual
- PA193.11 Section 193(2)(b): Considerations for Commissioner: Desirability of free flow of information
- PA193.13 Section 193(3) “required or authorised by or under any enactment”
- PA194.4 Section 194(2) Privacy Commissioner procedures
- PA195.4 Service of transfer prohibition notice
- PA196.4 Service of variation or cancellation notice
- PA200.3 Longstanding OECD privacy principles
- PA206.5 Section 206(2): Disclosure of matters that “ought to be disclosed for . . . giving effect to” the Act: Naming policy

PA210.4 Privacy Commissioner's Compliance and Regulatory Action Framework

PA212.6 Privacy Commissioner Prosecution Policy

Codes of Practice

The Codes of Practice commentary has been updated and the six current codes added.

Health and Disability Services

The Health and Disability Services commentary has been updated to reflect the Privacy Act 2020 changes.

Legislation

The Privacy Regulations 2020 can be found in the Regulations tab.

The Ombudsmen Act 1975 has been amended by the Privacy Act 2020 and the Trusts Act 2019 No 38.

Archive

The Privacy Act 1993 and related commentary can now be found online under the Archive tab.