



**Australian  
Privacy  
Foundation**

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# **Proposed regulations under the Privacy Amendment (Enhancing Privacy Protection) Bill**

## **Submission to the Attorney-General's Department**

**28 September 2012**

Richard Glenn  
Assistant Secretary  
Business and Information Law Branch  
Attorney-General's Department  
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### ***The Australian Privacy Foundation***

The Australian Privacy Foundation is the main non-governmental organisation dedicated to protecting the privacy rights of Australians. The Foundation aims to focus public attention on emerging issues which pose a threat to the freedom and privacy of Australians. Since 1987, the Foundation has led the defence of the right of individuals to control their personal information and to be free of excessive intrusions. The Foundation uses the Australian Privacy Charter as a benchmark against which laws, regulations and privacy invasive initiatives can be assessed. For further information about the Foundation and the Charter, see [www.privacy.org.au](http://www.privacy.org.au)

Please note that APF does not have a single postal address – we prefer communication by e-mail. If a postal address is required please contact the signatory.

### ***Publication of submissions***

We note that we have no objection to the publication of this submission in full. To further the public interest in transparency of public policy processes, APF strongly supports the position that all submissions to public Inquiries and reviews should be publicly available, except to the extent that a submitter has reasonable grounds for confidentiality for all, or preferably part of, a submission.

## **Submission**

We welcome the opportunity to comment on the Discussion Paper, which provides a valuable summary of all regulations under the Privacy Act as well as proposing some new Regulations relating to the amendments to the Act currently before the Parliament.

I attach a cover letter and a copy of the Discussion Paper with our comments in the margins (both in pdf format). These form our submission – it is hopefully easier for you to follow than if we had made the comments in a text submission by reference to specific paragraphs. Please let us know if you cannot view these comments easily.

In a few cases, our comments suggest changes to the primary legislation (either the current Act or provisions in the current Amendment Bill) as an alternative to a Regulation. This submission should be read in the context of our submission on the Amendment Bill.

For further information please contact:

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*Please note that APF's preferred mode of communication is by email, which should be answered without undue delay. APF does not have an organisational postal address. If postal communication is necessary, please contact the person named above to arrange for a postal address.*