

In the meantime, the Roads and Traffic Authority (RTA) which operates both the Bridge and the Sydney Harbour Tunnel tolls is required to comply with the Information Protection Principles in the PPIP Act with regard to the security of the information which it collects via the tolls system. Individuals who believe that the RTA has acted improperly with regard to the collection, storage, use or disclosure of their personal information or with their access or amendment rights may make complaints to this Office, or they may request that RTA conduct an internal review with a further right to proceed to the NSW Administrative Decisions Tribunal.

It is my understanding that the NSW toll road operators operate independently of the RTA, the only current exchange of information being the provision of licence plate numbers of toll evaders to the RTA for the purpose of the RTA generating a letter of demand on behalf of the operators. If the RTA decides engages a contractor to manage its dealings with personal information in future it must take reasonable steps to prevent the unauthorised use or disclosure of the information by the contractor².

Public transport

I also acknowledge your concerns about the 'smartcard-based' ticketing for public transport. I support your view that travel on public transport should be anonymous, subject to proof of entitlement to concessions and or voluntary registration of high value tickets. As you may know Privacy NSW promoted this model to the NSW Department of Transport during its consideration and development of the now defunct Transport Smartcard. At the time we emphasised the importance of protecting registration and concession information against secondary use or improper access.

Given the fact that travel smartcards can be used to store travel information and the fact that reading devices and back-end systems can be used to profile an individual's movement on public transport, it is likely that Privacy NSW would promote the idea to the NSW Government that any new transport smartcard proposals should be subject to Privacy Impact Assessment in the design phase, particularly focussing on the possibility and extent of function creep.

I hope this information addresses your concerns.

Yours sincerely



K V Taylor
Privacy Commissioner

<http://www.austlii.edu.au/au/other/alrc/publications/reports/108/18.html#Heading218>
² See section 12(d) of the PPIP Act.