Privacy (Consequential Amendments) Bill 1986

Date Introduced: 15 September 1987
House: House of Representatives
Presented by: The Hon. Lionel Bowen, M.P., Attorney-General and
Minister Assisting the Prime Minister for Commonwealth—
State Relations

Digest of Bill

Purpose
To amend four Acts as a consequence of the introduction of the
Privacy Bill 1986.

Background
Refer to the Digest for the Privacy Bill 1986.

Main Provisions
A new section 27A will be inserted into the Act by clause 5 and will
deal with applications for documents relating to peoples personal affairs.
Where such an application is made and it appears to the person dealing
with the request that a person whose personal affairs are contained in the
document may reasonably wish to contend the disclosure of the document, to
the extent that contains such information, that person is to be given an
opportunity to make submissions to support their claim. Access is only to
be given if a submission is not made within the required time or the
Administrative Appeals Tribunal has confirmed the decision to grant
access. This amendment will apply to all applications made after the Bill
comes into operation and also to any requests pending on that date.

Section 38 of the Act exempts documents that are the subject of
secrecy provisions in other laws. Clause 6 will amend this so that the
exemption will not apply to personal information sought by the subject of
the information.

A new section 59A will be inserted into the Act to allow people to
appeal to the Administrative Appeals Tribunal from a decision made under
proposed section 27A (clause 8).
Amendments to the *Human Rights and Equal Opportunity Commission* Act 1986

A new sub-section 20(4A) will be inserted into this Act to allow the Commission to transfer matters to the Data Protection Agency (DPA) if it is of the opinion that the DPA could more effectively or conveniently deal with the matter (clause 10).

Amendments to the *Merit Protection (Australian Government Employees)* Act 1984

Clause 14 will insert a new sub-section 49(1A) into this Act to allow matters to be referred to the DPA.

Amendments to the *Ombudsman* Act 1976

Section 6 of this Act will be amended in the same manner that clauses 10 and 14 amend the previous Acts (clause 17).

For further information, if required, contact the Law and Government Group.

18 September 1987  
Bills Digest Service  
Legislative Research Service

This Digest does not have any official legal status. Other sources should be consulted to determine the subsequent official status of the Bill.

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