



Australian Capital Territory

Information Privacy Regulation 2014

SL2014-25

made under the

Information Privacy Act 2014

Republication No 4

Effective: 2 March 2017

Republication date: 2 March 2017

Last amendment made by [SL2017-4](#)

About this republication

The republished law

This is a republication of the *Information Privacy Regulation 2014*, made under the *Information Privacy Act 2014* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 2 March 2017. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 2 March 2017.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register (www.legislation.act.gov.au). For more information, see the home page for this law on the register.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the *Legislation Act 2001*, section 95.

Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$150 for an individual and \$750 for a corporation (see *Legislation Act 2001*, s 133).



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R4
02/03/17

Information Privacy Regulation 2014
Effective: 02/03/17

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Australian Capital Territory

Information Privacy Regulation 2014

made under the

Information Privacy Act 2014

1 Name of regulation

This regulation is the *Information Privacy Regulation 2014*.

3 Dictionary

The dictionary at the end of this regulation is part of this regulation.

Note 1 The dictionary at the end of this regulation defines certain terms used in this regulation, and includes references (*signpost definitions*) to other terms defined elsewhere.

For example, the signpost definition ‘*class*, of a building—see the *Building Act 2004*, dictionary.’ means that the term ‘class’ is defined in that dictionary and the definition applies to this regulation.

Note 2 A definition in the dictionary (including a signpost definition) applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see *Legislation Act*, s 155 and s 156 (1)).

4 Notes

A note included in this regulation is explanatory and is not part of this regulation.

Note See the *Legislation Act*, s 127 (1), (4) and (5) for the legal status of notes.

5 Asbestos Response Taskforce a public sector agency—Act, s 9 (h)

The asbestos response taskforce is prescribed.

5A Prescribed interstate laws—Act, s 21 (4), def corresponding privacy law, par (b)

The following laws are prescribed:

- (a) *Privacy and Personal Information Protection Act 1998* (NSW);
- (b) *Privacy and Data Protection Act 2014* (Vic).

6 Exemption—residential premises and loose-fill asbestos insulation—Act, s 25 (1) (h)

- (1) The following public sector agencies are prescribed:
 - (a) the Environment and Planning Directorate;
 - (b) the asbestos response taskforce.
- (2) The Act does not apply to the prescribed public sector agencies in relation to the disclosure of information about whether residential premises contain, or have contained, loose-fill asbestos insulation including any relevant related information (other than the identity of an individual) to the following people:
 - (a) anyone who was an owner of the premises or who is, or was, an occupier of the premises;
 - (b) anyone who has carried out, is carrying out or intends to carry out building work on the premises.

Examples—relevant related information

- existence of clearance certificate by asbestos removalist on building file
- that premises have been demolished
- date of demolition of premises

Note An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

7 Exemption—ACT courts case management system project—Act, s 25 (1) (h)

- (1) The administrative unit responsible for the administration of ACT courts (the *relevant administrative unit*) is prescribed.
- (2) The following matters are prescribed:
 - (a) the disclosure of personal information held by the relevant administrative unit to the Department of the Attorney General of Western Australia (however described) for the case management system project;
 - (b) the use of the personal information for the case management system project.

Note **Personal information** includes sensitive information (see Act, s 14, def *sensitive information*).

- (3) In this section:

case management system project means—

 - (a) the development, testing and installation of an information management system for cases heard, or to be heard, by ACT courts; and
 - (b) the ongoing maintenance and upgrading of the system.

Dictionary

(see s 3)

Note 1 The [Legislation Act](#) contains definitions and other provisions relevant to this regulation.

Note 2 For example, the [Legislation Act](#), dict, pt 1, defines the following terms:

- in relation to
- prescribed.

Note 3 Terms used in this regulation have the same meaning that they have in the *Information Privacy Act 2014* (see [Legislation Act](#), s 148). For example, the following term is defined in the *Information Privacy Act 2014*, dict:

- ACT court
- public sector agency (see s 9).

asbestos response taskforce means the asbestos response taskforce established by the ACT government in June 2014.

building work—see the [Building Act 2004](#), section 6.

class, of a building—see the [Building Act 2004](#), dictionary.

loose-fill asbestos insulation—see the [Dangerous Substances Act 2004](#), section 47M.

residential premises means premises, or a part of premises, that are a class 1, class 2 or class 10 building.

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

3 Legislation history

Information Privacy Regulation 2014 SL2014-25

notified LR 16 October 2014

s 1, s 2 commenced 16 October 2014 (LA s 75 (1))

remainder commenced 17 October 2014 (s 2)

as amended by

Information Privacy Amendment Regulation 2015 (No 1) SL2015-6

notified LR 26 February 2015

s 1, s 2 commenced 26 February 2015 (LA s 75 (1))

remainder commenced 27 February 2015 (s 2)

Dangerous Substances (Loose-fill Asbestos Eradication) Legislation Amendment Act 2014 A2015-6 sch 1 pt 1.5

notified LR 31 March 2015

s 1, s 2 commenced 31 March 2015 (LA s 75 (1))

sch 1 pt 1.5 commenced 17 April 2015 (s 2 and [CN2015-6](#))

Information Privacy Amendment Regulation 2017 (No 1) SL2017-4

notified LR 1 March 2017

s 1, s 2 commenced 1 March 2017 (LA s 75 (1))

remainder commenced 2 March 2017 (s 2 and see Justice and Community Safety Legislation Amendment Act 2017 [A2017-5](#) s 2 (3))

Endnotes

4 Amendment history

4 Amendment history

Commencement

s 2 om LA s 89 (4)

Prescribed interstate laws—Act, s 21 (4), def *corresponding privacy law*, par (b)

s 5A ins [SL2017-4](#) s 4

Exemption—residential premises and loose-fill asbestos insulation—Act, s 25 (1) (h)

s 6 hdg sub [SL2015-6](#) s 4
s 6 am [SL2015-6](#) s 5

Exemption—ACT courts case management system project—Act, s 25 (1) (h)

s 7 ins [SL2015-6](#) s 6

Dictionary

dict am [SL2015-6](#) s 7
def *loose-fill asbestos insulation* sub [A2015-6](#) amdt 1.12

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No and date	Effective	Last amendment made by	Republication for
R1 17 Oct 2014	17 Oct 2014- 26 Feb 2015	not amended	new regulation
R2 27 Feb 2015	27 Feb 2015- 16 Apr 2015	SL2015-6	amendments by SL2015-6
R3 17 Apr 2015	17 Apr 2015- 1 Mar 2017	A2015-6	amendments by A2015-6

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