



**Australian Government**

**Office of the Australian Information Commissioner**

# **Privacy by Design An Australian Perspective**

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## **Privacy by design**

Embedding privacy in from the outset  
... not bolting it on as an after-thought



## **Australian perspective**


- Privacy Impact Assessments
  - Privacy law reform process
  - Enforcing privacy in a global market and the issue of cross border data flow
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## **Privacy impact assessments**


- PIA 'tells the story' of a project from a privacy perspective
  - Helps manage privacy impacts
  - PIAs valuable tool for ensuring privacy by design
  - OAIC guidance at [www.oaic.gov.au](http://www.oaic.gov.au)
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## **Recent examples**


Two recent Australian Government initiatives showcase PbD in action:

- Airport body scanning
  - E-health
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## **Privacy law reform**

- Commissioner to direct a government agency to conduct a PIA
  - Commissioner must advise Attorney-General and responsible Minister if agency does not comply
  - Power may be extended in relation to private sector
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## **Privacy law reform (cont)**

- Commissioner to conduct assessments to determine compliance
  - Enforceable undertakings: if an entity breaches an undertaking, Commissioner can apply to court
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## **PbD in a global world**

- New APPs
  - Other legislation, such as PCEHR legislation
  - International cooperation:
    - APPA
    - OECD Global Privacy Enforcement Network (GPEN)
    - APEC's Cross-border Privacy Enforcement Arrangement (CPEA)
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