



Privacy Policy

The Department of Communications and the Arts (**referred to in this Privacy Policy as 'we', 'our' or 'us'**) complies with the *Privacy Act 1988* (Cth) (**the Privacy Act**). The *Privacy Act* contains 13 Australian Privacy Principles (**the APPs**) which are rules about how we may collect, use, disclose and store personal and sensitive information, and how you may access and correct records containing your personal or sensitive information. We are committed to protecting your privacy in accordance with the APPs.

Why the department collects personal information

We collect personal information for the purpose of one or more of our functions or activities. Our main functions and activities are to develop policy and to design, implement and review programs in the following areas:

- broadband
- broadcasting and the media
- classifications
- certain content issues
- copyright
- postal and telecommunications
- spectrum management, and
- the arts.

Our other activities concern the administration of the department, for example, publishing information on our website and complaints handling.

Personal information collected by the department

In order to effectively implement our policies and programs, we may collect information about individuals. This may include the individual's name and contact details (such as physical address, mail or email address, telephone number, facsimile number and social media account identifier). Depending on the program, we may also collect other personal information. For example, where we provide a service as part of the program, we may also collect information about the individual's eligibility for the service. If we co-ordinate services delivered by another agency, such as Centrelink or the Department of Human Services, we may collect the personal information necessary to assess the individual's eligibility for the service and deliver the service to the individual.

In order to review and develop policies which relate to our functions and activities, we may collect personal opinions about our programs or about proposals that individuals provide to us. Personal opinions may contain personal or sensitive information about the individuals and others (such as the individual's racial or ethnic origin, political opinions, religious beliefs, membership of professional associations or trade unions, and health information). Furthermore, the information may contain the individual's name and contact details to enable us to contact the individual for further information or to follow up issues.

In order to maintain current employee information for business and employment related purposes and where authorised or required by law, we also collect and hold personnel records. The personal and sensitive information in these files relates to our employees and contractors and their immediate families and may include applications for employment as well as health, financial, ethnic origin, educational, citizenship and/or trade union membership information.

You may deal with the department anonymously or pseudonymously

You may deal with us without identifying yourself or by using an alias (pseudonym). However, where it is impractical for us to deal with you in that way, or the law requires or authorises us to collect your personal information, we may require you to identify yourself.

How the department collects personal information

Our usual practice is to collect personal information directly from you or your authorised representative where it is necessary for our functions or activities. However, in limited circumstances we may collect personal information about you from a third party (for example, another Australian Government department or a publicly available source). For example, if:

- it is not practicable for us to collect personal information from you
- you have consented to the personal information being collected from someone else, or
- we are authorised or required by law to collect your personal information from someone else.

We may also collect sensitive information (such as information about your racial or ethnic origin, political opinions, religious beliefs, membership of professional associations or trade unions, sexual orientation or practices, criminal record, health information, and biometric and genetic information). You will need to consent to this collection and the information must be reasonably necessary for, or directly related to, one or more of our functions or activities.

On some occasions, we may receive unsolicited personal or sensitive information (for example, from a third party or from you).

Notification of the collection of personal information

When we collect your personal information, we will (if reasonable) give you a collection notice with information such as:

- the facts and circumstances of the collection
- whether the collection is authorised or required by law
- the purpose of the collection
- the consequences for you if all or some of that personal information is not collected, and
- how we will use and disclose that personal information, including if we will disclose that personal information to any other organisations (for example, other Australian Government agencies) or overseas recipients.

We will take reasonable steps to provide this information to you before or at the time of collection. If it is not provided by the time we collect your personal information, we will take reasonable steps to provide you with it as soon as practicable.

Use and disclosure of personal information

We may use or disclose your personal information for the particular purpose for which it was collected (this is known as the 'primary purpose'). Your personal information may also be used or disclosed for a secondary purpose (that is, a purpose that is different from the primary purpose for which your information was collected) if:

- you give us permission (consent)
- the secondary purpose is related to the primary purpose (or, in the case of your sensitive information, directly related to the primary purpose) **and** you would reasonably expect us to use your personal information for that secondary purpose
- we are required or authorised by law or a permitted general situation exists under the *Privacy Act* (for example, where it is unreasonable or impracticable to obtain your consent and the use or disclosure of your personal information is necessary to lessen or prevent a serious threat to the life, health or safety of any other individual), or
- we reasonably believe the use or disclosure is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

Disclosure of personal information overseas

We do not ordinarily disclose personal information overseas.

We will only disclose an individual's personal information to an overseas recipient in accordance with the APPs (including taking reasonable steps to ensure that the overseas recipient does not breach the APPs), and we will ordinarily seek the individual's permission before doing so.

Integrity of personal information

We will take reasonable steps to ensure that the personal information:

- it holds is accurate, up-to-date and complete;
- is accurate, up-to-date, complete and relevant when it is used or disclosed; and
- protects the personal information it holds against loss, unauthorised access, use, modification or disclosure, and against other misuse.

All personal information held by us is securely held physically or on the department's IT systems.

Access to, and correction of, personal information

Under the *Privacy Act* you (as an individual) have rights to access and correct personal information that we hold about you. You also have similar rights under the *Freedom of Information Act 1982* (Cth), (for more information see: <https://www.communications.gov.au/who-we-are/freedom-of-information>).

If you request access to the personal information that we hold about you, or you request we change that personal information because it is incorrect, we will allow access or make the changes unless we consider that there is a sound reason under the *Privacy Act* or other relevant law to withhold the information or not make the changes.

There are no charges imposed on requests for access to personal information and correction of personal information held by us.

We aim to ensure that the personal information we hold is accurate, up-to-date, complete, relevant and not misleading.

Please contact us via the department's Privacy Officer (see details below) if you would like to seek access to, or correct, the personal information we hold about you.

Complaint process

Our complaint process is contained in the department's Complaints Handling Policy which is available at <https://www.communications.gov.au/who-we-are/department/complaints-handling-policy>.

Department's contact point for privacy matters

If you need to contact the department's Privacy Officer, you can:

- email ogc@communications.gov.au
- write to:

Privacy Officer
c/- Office of the General Counsel
Department of Communications and the Arts
GPO Box 2154
Canberra ACT 2601
Australia
- or phone 1800 254 649 and ask for the Privacy Officer.

General information about the *Privacy Act* and the APPs may also be found on the Office of the Australian Information Commissioner's website (www.oaic.gov.au).