



# Privacy Policy

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

## Why the department collects personal information

The department collects personal information for the purpose of one or more of its functions or activities. The 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.

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

## Personal information collected by the department

In order to effectively implement policies and programs, the department 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 and social media account identifier). Depending on the program, the department may also collect other personal information. For example, where a service is provided as part of the program, the department may collect information about the individual's eligibility for the service. Where the department coordinates services delivered by another agency, such as Centrelink or the Department of Human Services, the collection of personal information may be 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 the department's functions and activities, we may collect personal opinions about our programs or about proposals that individuals provide. 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 the department 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, the department will also collect and hold personnel records. The personal and sensitive information in these files relates to 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.

## Collection notices

To view the department's collection notices please visit <https://www.communications.gov.au/privacy-policy>

## You may deal with the department anonymously or pseudonymously

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

## How the department collects personal information

The department's usual practice is to collect personal information directly from you or your authorised representative where it is necessary for 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 to collect personal information from you
- you have consented to the personal information being collected from someone else, or
- the department is 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 the department's functions or activities.

On some occasions, the department may receive unsolicited personal or sensitive information (for example, from a third party or from you). The department must determine whether or not the unsolicited information could have been collected under the Australian Privacy Principle 3, if the department has solicited the information. The department will use the unsolicited personal information received for the purposes of making the determination. If it is determined that the department could not have collected the personal information and it is not contained in a Commonwealth record the department will, as soon as practicable, but only if it is lawful and reasonable to do so, destroy the information or ensure that the information is de-identified.

## Notification of the collection of personal information

When collecting your personal information, the department 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 the department will use and disclose that personal information, including if it is necessary to disclose that personal information to any other organisations (for example, other Australian Government agencies) or overseas recipients.

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

## Use and disclosure of personal information

The department 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 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 eg. your information may be provided directly to another agency to resolve a complaint that is more appropriately addressed by the other agency.
- it is 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
- the department 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

The department does not ordinarily disclose personal information overseas.

An individual's personal information will only be disclosed 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 the individual's permission will ordinarily be sought before doing so.

## Integrity of personal information

The department 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 the department 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 the department holds 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 the department holds about you, or you request a change to that personal information because it is incorrect, the department 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 the department.

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

Please contact the department's Privacy Officer (see details below) if you would like to seek access to, or correct, the personal information the department holds 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/client-service-charter>.

## Department's contact point for privacy matters

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

- email [privacy@communications.gov.au](mailto:privacy@communications.gov.au)
- write to:  

Privacy Officer  
Department of Communications and the Arts  
GPO Box 2154  
Canberra ACT 2601  
Australia
- or phone 02 6271 1000 or 1800 254 649 (free call) 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](http://www.oaic.gov.au)).