



Identifying privacy issues

During preparation of any proposal, a positive answer to any of the following questions will suggest early consultation with the Privacy Contact Officer in your agency, or with the NSW Privacy Commissioner, who has an advisory role under the *Privacy and Personal Information Protection Act 1998* and the *Health Records and Information Privacy Act 2002*.

1. Will the proposal involve collection of personal/health information, compulsorily or otherwise?
2. Does the proposal envisage a new use for personal/health information that is already held?
3. Will the proposal change or create any system of regular disclosure of personal/health information, whether to another part of State or local government, to universities, to the private sector, or to the public at large?
4. Will the proposal restrict access by individuals to their own personal/health information?
5. Will the proposal establish or amend a public register?
6. Does the proposal change or create any confidentiality provisions or secrecy provisions relating to personal/health information?
7. Are any proposed powers of entry, search or seizure involved?
8. Is any surveillance proposed?
9. Are any new or amended offences proposed relating to the misuse of personal/health information?
10. Are any new or amended requirements proposed to store, secure or retain personal/health information?
11. Will the proposal create an identification system, e.g. using a name, a number, or biometric signature like a finger scan? Will it require existing ID, such as a driver's licence?
12. Is it proposed to link or match personal/health information across or within agencies?

Checklist

June 2014

13. Does the proposal involve exchange or transfer of personal/health information outside NSW, whether with another government or otherwise?
14. Does the proposal relate to handling personal/health information for research or statistics, de-identified or otherwise?
15. Does the proposal contain any other measures that may affect privacy?

**This checklist is based on the Office of the Victorian Privacy Commissioner model. Reproduced with alterations with permission from Privacy Victoria.*

For more information

Contact the Information and Privacy Commission NSW (IPC):

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