

Information Privacy Guide

The [Information Privacy Act 2009](#) (IP Act) provides for the fair collection and handling of personal information by Queensland Government agencies.

The IP Act also provides a formal way for a person to apply to [access](#) or [amend their own personal information](#). This process, which is set out in Chapter 3 of the IP Act, is intended to be a last resort as the department encourages [administrative release](#) and informal [amendment of personal information](#) wherever practicable.

Personal information is defined in section 12 of the IP Act as:

"...information or an opinion, including information or opinion forming part of a database, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can be reasonably ascertained, from the information or opinion."

Generally, personal information is any information about an identifiable person.

Purpose

In accordance with [Information Privacy Principle \(IPP\) 5](#), this guide provides information on:

- the types of personal information contained in documents held by the department
- the purposes for the use of personal information
- how you can access documents containing your own personal information.

This guide also provides information on how you can make a complaint about the department's handling of your personal information.

Our commitment to the responsible management of personal information

The department is committed to ensuring that personal information is managed in accordance with the IPPs contained in Schedule 3 of the IP Act. In doing so, we will ensure:

- personal information of our clients and employees is collected, managed, used and disclosed responsibly and transparently, in accordance with the IPPs
- personal information is disclosed to other entities (including agencies, other levels of government or the private sector) responsibly and transparently, in accordance with the IPPs

- information is only transferred outside of Australia in accordance with Section 33 of the IP Act
- all reasonable steps are taken to bind contracted service providers to the IPPs under Section 35 of the IP Act if they deal with personal information on our behalf
- privacy breaches and complaints are dealt with in a timely and responsive manner, and complainants treated with respect throughout the process
- we comply with the conditions of any public interest approvals issued by the Information Commissioner under Section 157 of the IP Act.

The type of personal information contained in our documents

The department collects a significant amount of customer and employee personal information in its daily operations, including:

- names
- dates of birth
- addresses (both postal and email)
- phone numbers
- photographs
- licences held by individuals.

We collect, manage, use and disclose personal information in accordance with the IPPs contained in the IP Act.

We will only use personal information collected by us for the purposes for which it was given to us, or as otherwise permitted by the IP Act.

The department also manages registers containing personal information, which include, but are not limited to:

- gifts and benefits register
- corporate records/financial management records
- consultant/contractor/supplier records
- grants information.

Personal information is also held on files related to business and service delivery functions of the department.

How you can request to access or amend your personal information

The right of access to and amendment of personal information is dealt with under IPPs 6 and 7 of the IP Act.

[IPP 6](#) provides that a person is entitled to access any record that contains their own personal information, except



where access is restricted by any law. This includes provisions in Chapter 3 of both the *Right to Information Act 2009* (RTI Act) and the IP Act.

The department endeavours to provide administrative access to personal information informally, without requiring a person to make a formal application under the RTI or IP Acts.

If you would like to access your personal information held by the department, please email dtisrti@dtis.qld.gov.au.

However, in some situations administrative access will not be appropriate, and you may need to make an application under the RTI or IP Act (for example, if a third party's personal information is also involved).

[IPP 7](#) provides for an individual to seek an amendment of any record that contains their personal information if that personal information is inaccurate, incomplete, out-of-date or misleading.

Applications can only be made by the individual (or their agent) seeking amendment of their own personal information, or of a deceased person to whom they are an 'eligible family member'. If an agent, acting on behalf of an applicant, applies for access to or amendment of documents containing personal information of the applicant, then the agent must provide [evidence of authority and identity](#).

Requests for documents or amendment of personal information under the RTI or IP Acts must be made on the prescribed statutory forms, copies of which are available at www.rti.qld.gov.au.

How you can complain about our handling of your personal information

A privacy complaint is a complaint made by an individual about an act or practice of a department in relation to that individual's personal information.

Privacy complaints should be made no longer than twelve months from the date when the act or practice subject of the complaint happened.

If you wish to lodge a privacy complaint, please:

- submit your complaint in writing
- provide an address we can use to contact you
- include details about the actions or practice about which you are complaining.

Mark your complaint as Private and Confidential and address it to:

DTIS Privacy
Department of Tourism, Innovation and Sport
GPO Box 15168
City East QLD 4002

OR

Email: DTISPrivacy@dtis.qld.gov.au

The department will endeavour to investigate and respond to your concerns within 45 business days from the date your complaint is received.

However, in some circumstances, we may contact you with a view to requesting a longer period to finalise your complaint.

We will respond in writing, including to advise any remedies considered appropriate to resolve the complaint.

What happens if you are not happy with the department's response to your privacy complaint?

If you have made a privacy complaint to the department under the IP Act and you are not satisfied with the response you receive, you can refer your privacy complaint to the Office of the Information Commissioner (OIC).

Please note, your privacy complaint can only be referred to the OIC after 45 business days has lapsed from the date the complaint was received by the department.

Visit the OIC website for more information about [privacy complaints](#).

Further information

All authorised Queensland legislation and related information is available from www.legislation.qld.gov.au.

For general enquiries on the operation and application of RTI and IP legislation in Queensland, please contact the OIC enquiry service by:

Phone: (07) 3234 7373 or 1800 642 753

Email: enquiries@oic.qld.gov.au