



Office of
Health Practitioner Registration Boards

Queensland Government

Privacy Plan

August 2009

[Chiropractors Board of Queensland](#)

[Dental Board of Queensland](#)

[Dental Technicians and Dental Prosthetists Board of Queensland](#)

[Medical Radiation Technologists Board of Queensland](#)

[Occupational Therapists Board of Queensland](#)

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Foreword

The Office of Health Practitioner Registration Boards (the Office) pleased to present its updated Privacy Plan. We are committed to ensuring the privacy and confidentiality of personal information held within the Office and will adhere to the Information Privacy Principles when collecting, using, disclosing, securing and providing access to private information.

The Office is established under s.7, *Health Practitioners Registration Boards (Administration) Act 1999* (the Act) as a statutory body responsible for providing the administrative and operational support necessary for each of the 12 Health Practitioner Registration Boards (the Boards) to perform their functions.

The Office of Health Practitioner Registration Boards and the 12 Health Practitioner Registration Boards function under legislation which can be viewed at www.legislation.qld.gov.au

The Privacy Plan details the steps the Office has taken, and will take, to ensure compliance with *Information Privacy Act 2009 (the IP Act)*.

Jim O'Dempsey
Executive Officer

Introduction

The Queensland Government has developed a Privacy Policy that applies to the Queensland public sector. The Privacy Policy requires personal information held by Queensland Government agencies to be responsibly and transparently collected and managed in accordance with 11 Information Privacy Principles (IPPs). The Office of Health Practitioner Registration Boards (the Office) is committed to ensuring that all personal information held is managed with integrity and in accordance with the 11 IPPs.

The Queensland Government has introduced the *Information Privacy Act 2009* (IP Act) which includes Information Privacy Principles (IPPs) and the National Privacy Principles (NPPs) and these are listed in Schedule 3 and 4 of the IP Act.

A copy of the *Information Privacy Act 2009* can be accessed at www.legislation.qld.gov.au

The Office is committed to ensuring that all such 'personal information' held in its records is treated with respect and confidentiality and will not knowingly disclose any 'personal information' unlawfully. The Privacy Plan outlines the types of personal information collected and stored by the Office. The plan also provides guidance on the requirements of the IP Act and strategies that have been implemented to ensure compliance with those requirements. The Office's Annual Reports are a useful source for obtaining information regarding the structure and business. The Privacy Plan and Annual Reports can be accessed through the Office's website www.healthregboards.qld.gov.au.

Personal Information

The Privacy Plan applies to the collection, management and use of personal information. The IP Act defines "personal information" as "information or an opinion, including information or an 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 reasonably be ascertained, from the information or opinion."

The information does not have to clearly identify a person. It only needs to provide sufficient information to lead to the identification of a person. It is not limited to confidential or sensitive personal information. Examples of personal information include a person's name, address, date of birth or phone number. IP Act covers information held in paper or electronic records and may extend to body samples or biometric data.

Information Privacy Principles (IPPs)

There are 11 IPPs which give a set of directions that Government agencies must adopt and follow when collecting, handling, using and disclosing personal information about people mentioned in the agency's records. The full text of the IPPs is set out in Appendix A.

IPPs 1, 2 and 3 deals with what personal information may be collected, the way it is collected and what notices must be given to the person from whom the information is collected.

IPP 4 deals with requirements for ensuring that personal information is stored securely and protected from loss, unauthorised access, use, modification, disclosure or misuse.

IPPs 5, 6 and 7 deal with individuals obtaining access to and collecting the personal information held by departments and agencies.

IPPs 8, 9, 10 and 11 deal with how personal information is used and disclosed by departments and agencies.

Legislation

Although the *Health Practitioner Registration Boards (Administration) Act 1999* represents the major legislative framework for the work of the Office of Health Practitioner Registration Boards, other legislation affects the regulatory, administrative and business function of the Office. Examples of legislative requirements for the Office are:

Chiropractors Registration Act 2001
Chiropractors Registration Regulation 2002
Dental Practitioners Registration Act 2001
Dental Practitioners Registration Regulation 2001
Dental Technicians and Dental Prosthetists Registration Act 2001
Dental Technicians and Dental Prosthetists Registration Regulation 2002
Health Practitioner Regulation (Administrative Arrangements) National Law Act 2008
Health Practitioners (Professional Standards) Act 1999
Health Practitioners (Professional Standards) Regulation 2000
Health Practitioners (Special Events Exemption) Act 1998
Health Practitioners (Special Events Exemption) Regulation 1998
Medical Radiation Technologists Registration Act 2001
Medical Radiation Technologists Regulation 2002
Mutual Recognition (Queensland) Act 1992
Occupational Therapists Registration Act 2001
Occupational Therapists Registration Regulation 2001
Optometrists Registration Act 2001
Optometrists Registration Regulation 2001
Osteopaths Registration Act 2001
Osteopaths Registration Regulation 2002
Pharmacists Registration Act 2001
Pharmacists Registration Regulation 2001
Physiotherapists Registration Act 2001
Physiotherapists Registration Regulation 2001
Podiatrists Registration Act 2001
Podiatrists Registration Regulation 2002
Psychologists Registration Act 2001
Psychologists Registration Regulation 2002
Speech Pathologists Registration Act 2001
Speech Pathologists Registration Regulation 2001

Examples of other legislation include:

Acts Interpretation Act 1954
Adoption of Children Act 1964 and Regulation 1999
Anti Discrimination Act 1991, and Regulation and Tribunal Rule 2005
Births, Deaths and Marriages Registration Act 2003 and Regulation 2003
Child Protection Act 1999 and Regulation 2003
Commission for Children and Young People and Child Guardian Act 2000
Coroners Act and Regulation 2003
Crime and Misconduct Act 2001 and Regulation 2005
Drugs Misuse Act 1986 and Regulation 1987
Electronic Transactions (Queensland) Act 2001
Equal Opportunity in Public Employment Act 1992
Evidence Act 1977 and Regulation 2007
Financial Administration and Audit Act 1997 and Regulation 1995
Financial Management Standard 1997
Guardianship and Administration Act and Regulation 2000 and Tribunal Rule 2004
Health (Drugs and Poisons) Regulation 1996
Health Act 1937 and Health Regulation 1996
Health Quality and Complaints Commission Act 2006
Health Services Act 1991 and Regulation 2002
Industrial Relations Act 1999 and Regulation and (Tribunals) Rules 2000
Information Privacy Act 2009

Judicial Review Act 1991
Libraries Act 1988
Mental Health Act 2000 and Regulation 2002
Public Records Act 2002 and Regulation 2002
Public Sector Ethics Act 1994 and Regulation 1999
Public Service Act 2008
Radiation Safety Act and Regulation 1999 and (Radiation Safety Standards) Notice 1999
Right to Information Act 2009
Statutory Bodies Financial Arrangements Act 1982 and Regulation 2007
Trans Tasman Mutual Recognition (Queensland) Act 2003
Whistleblowers Protection Act 1994 and Regulation 1999
Workers Compensation and Rehabilitation Act 2003 and Regulation 2003
Workplace Health and Safety Act 1995 and Regulation 1997 and (Codes of Practice) Notice

Types of Personal information held by the Office of the Health Practitioner Registration Boards (the Office)

The Office holds electronic and paper records containing personal information, which can broadly be divided into the following categories:

- client related records;
- employee personal records;
- financial management system information and
- information systems personal information.

Client Related Records

Client related records include personal details (e.g. names, addresses, date of birth, debtors etc), professional qualifications (e.g. Degree certificate, statement of academic record etc), health assessment and monitoring records (registrant with health concerns that need monitoring) and complaints records (e.g. complaints made against a health practitioner).

The purpose of these records is to maintain a client history and administrative information relating to all current and former clients. This information also assists the Office to provide administrative support effectively and efficiently to the Boards as per legislative requirements. The Executive Services Program, Registration Services Program, Professional Standards Program, Corporate Services Program and Board Support and Advisory Program manage these records.

The Office retains this information for the time periods specified in its Records Disposal and Retention Schedule, as approved by Queensland State Archives and in the General Retention and Disposal Schedule for Administrative Records issued and maintained by Queensland State Archives.

The Office also accepts and processes all payments made to each of the Health Practitioner Boards. These payments may be made either by post or directly at the public counter and are accepted in the form of cash or money order, cheque, credit card (MasterCard & Visa only), eftpos and electronic funds transfer. The Office also accepts payments via the Internet.

'Personal information' concerning payments from clients is required to enable the Office to effectively and efficiently carry out its statutory administrative functions required by the relevant legislation. Some examples of this type of 'personal information' include:

- credit card details of clients;
- money order details of client;
- debtors of clients and
- cheque details of clients.

When a client pays an account by cheque, money order or credit card, their personal and financial details are kept secure at all stages. Internal processes are designed to protect clients' 'personal information' details from unauthorised access.

The Office does not require the above information for any other purpose, except as detailed in our Privacy Plan.

Employee records containing personal information

Employee personnel records include personnel and payroll, recruitment and other records. The purpose of these records is to maintain employment history and payroll and administrative information relating to all current and former permanent, temporary and contract staff members of the Office. The Human Resources Unit manages these records.

The records may include any one or more of the following:

- attendance at work and overtime;
- leave applications and approvals;
- medical matters;
- payroll and pay-related records, including banking details;
- tax file number;
- declarations of pecuniary interests;
- personal history files;
- performance appraisals;
- personal development and training;
- trade, skill and aptitude test records;
- completed questionnaires and personnel survey forms;
- work related travel;
- personal welfare matters;
- contracts and conditions of employment;
- recruitment, relocation of staff and removal of personal effects;
- character checks and security clearances;
- work related accidents and injuries;
- compensation matters;
- rehabilitation matters;
- counselling matters;
- discipline matters;
- allegations and investigation of alleged misconduct;
- criminal convictions;
- complaints and grievances and
- recommendations for honours and awards.

Personnel records are stored on paper and electronic media and are kept for variable periods according to the applicable provisions of the Disposal and Retention Schedule for Administrative Records issued by Queensland State Archives. Appropriate storage and security arrangements as detailed in the Information Security Policy will apply, depending on the sensitivity of the information. Personal information held in personnel records may be disclosed outside the Office, as appropriate, to the Australian Taxation Office, QSuper, Centrelink, Child Support Agency, Police, Courts and third parties such as banks and insurance companies (name and account numbers only). Certain personal information (names and qualifications) may also be included in the Office of Health Practitioner Registration Boards' published reports at the discretion of the Executive Officer.

Financial management system information

The purpose of these records is to process and account for the expenditure and revenue of the Office. General content may include name, address and services or goods category.

Sensitive content may include financial information including debts, personal information relating to creditors and debtors, and outsourced service providers if they are identified personally. Financial administration staff and staff within the relevant business areas have direct access to this personal information.

The records are stored on paper and electronic media and kept according to the categories set out in the Retention and Disposal Schedule as approved by Queensland State Archives. Appropriate storage and security arrangements as detailed in the Information Security policy will apply depending on the sensitivity of the information.

Information systems personal information

The Office's information technology (IT) system routinely carries information about the core business and the corporate services of the Office. These transactions encompass both internal and external electronic transactions, including telephone, e-mail, Internet, Intranet and Government Intranet activities.

The bulk of personal information held by the IT system will be described in other parts of this plan which deals with personal information held by the Office's business programs.

There are some personal information records specifically tailored to IT systems administration. This includes IT system security identifiers and usage tracking records about staff users of the IT system that are held by IT administrators and staff supervisors.

This information is not disclosed to persons other than staff supervisors, system administrators and the individual officers concerned unless a specific legislative requirement requires or authorises access or disclosure.

Registers Managed by the Office

Chiropractors Register
Dental Register
Dental Prosthetists Register
Dental Specialists Register
Dental Technicians Register
Dental Auxiliary Register
Medical Imaging Technology Register
Nuclear Medicine Technology Register
Occupational Therapists Register
Optometrists Register
Osteopaths Register
Pharmacy Register
Physiotherapists Register
Podiatrists Register
Psychologists Register
Radiation Therapy Register
Speech Pathologists Register

Personal information is held in each of these Registers; however it is restricted to the purpose for which the Register is kept, unless legislation or regulation provides otherwise.

Contractual arrangements with external bodies

The Office has entered into contractual arrangements with external bodies for the supply of goods and services. In many cases the agreements extend over several years. Many were in existence before the Office was required to comply with the Privacy Principles in contractual arrangements with external bodies. Many of the contracts containing personal affairs information relate to staff issues including private sector consultancies.

Existing contracts will be reviewed, and where possible, altered to comply with the relevant Principles.

How long each type of record is kept

The disposal of the Office's records is governed by the *Public Records Act 2002* (the Act). Under the Act, a record cannot be disposed of without an authority from the State Archivist or other legal authority.

Office records are kept for varying periods in accordance with the Act and the General Disposal and Retention Schedule for Administrative Records issued under that Act.

If you wish to view the *General Disposal and Retention Schedule for Administrative Records* you can do so via the internet at www.archives.qld.gov.au, or you can contact Queensland State Archives on (07) 3875 8755.

Accessing and Amending Personal Information

How to make an application

Access

If you wish to make a formal application under the *Information Privacy Act 2009* for access to personal information held by the office, please download the application form and submit your application via post, fax or email or in person (see details below).

Please specify as clearly as possible the documents requested, and ensure that you supply appropriate evidence of identity as explained on the form.

→ RTI IP Access Application Form

If your application is for non-personal information, you will need to pay a \$38 application fee and there may be charges for processing and access.

Amendment

You can also apply to amend your personal information under the *Information Privacy Act 2009* if you believe the information is inaccurate, incomplete, out of date or misleading.

If you wish to make a formal application to amend your own personal information held by the office, please download the application form and submit your application via post, fax or email or in person (see details below). Please ensure that you supply appropriate evidence of identity as explained on the form.

→ Information Privacy Personal Information Amendment Application

There are no charges for applications to amend your own personal information.

Address for lodgement

Send your completed application form, payment (if applicable) and evidence of identity to the following address:

Manager (Records Management)
Office of Health Practitioner Registration Boards
GPO Box 2438
Brisbane QLD 4001

Alternately you may send your completed application form by:

- facsimile to (07) 3234 0064, marked to the attention of Manager (Records Management), Corporate Services Program;
- email to RTI.IP@healthregboards.qld.gov.au; or
- in person at level 8, 160 Mary Street, marked to the attention of Manager (Records Management).

If you have any queries in relation to making an Information Privacy application or amendment please contact the Administration Officer (RTI-Privacy) on (07) 3234 0171 or use the email address above.

Complaint and Review Procedures

If a person believes that the Office or one of the 12 Boards has not dealt with their personal information in accordance with an IPP, they may make a complaint in writing.

The complaint should be made within 6 months from the date that the breach of the IPP occurred and provide as much relevant information as possible about the alleged breach of the IPP.

Written complaints should be forwarded to:

Manager (Records Management)
Office of Health Practitioner Registration Boards
GPO Box 2438
Brisbane QLD 4001

Email requests will also be accepted and such requests should be emailed to RTI.IP@healthregboards.qld.gov.au. The Administration Officer (RTI-Privacy) is available to provide more information about this process, and can be contacted on (07) 3234 0171.

Complaints will be acknowledged in writing within 14 days from the date the complaint was received by the office.

The Office will process each complaint within 45 days from the date it was received. Applicants will be advised in writing of the Office's decision.

If an applicant does not agree with the Office's decision, they may apply in writing to the Executive Officer for review of the decision. Applications for review should be made within 28 days of the complainant receiving the initial complaint decision. Applications for review should be sent to the Executive Officer, Office of Health Practitioner Registration Boards, GPO Box 2438, Brisbane, QLD, 4001.

The review will be carried out by a person who has not previously been involved in the matter and who is more senior than the person who made the initial decision. The review will be completed within 28 days of receipt of the application for review. The complainant will be notified in writing of the outcome of the review.

Information Privacy Principles

The Information Privacy Principles set out in the *Information Privacy Act 2009* covers collection, storage, use, and disclosure of personal information.

Many of the Principles only require 'reasonable' steps to be taken having regard to the circumstances. Factors which will determine the "reasonableness" of steps to be taken will include the sensitivity of the information, the possible uses of the information, the context in which it was obtained, the financial and practicable effects of strategies for compliance, and the continued ability of the business unit to perform its legitimate functions.

A summary of the Information Privacy Principles is set out in Appendix A.

Appendix A – Summary of Information Privacy Principles (IPP)

Queensland Government agencies must comply with the following eleven (11) Information Privacy Principles.

IPP 1 - Collection of personal information (lawful and fair)

1. An Agency must not collect personal information for inclusion in a document or generally available publication unless -

- (a) *the information is collected for a lawful purpose directly related to a function or activity of the agency; and*
- (b) *the collection of the information is necessary to fulfil the purpose or is directly related to fulfilling the purpose.*

2. An agency must not collect personal information in a way that is unfair or unlawful.

IPP 2 - Collection of personal information (requested from individual)

(1) This section applies to the collection by an agency of personal information for inclusion in a document or generally available publication.

(2) However, this section applies only if the agency asks the individual the subject of the personal information for either—

- (a) *the personal information; or*
- (b) *information of a type that would include the personal information.*

(3) The agency must take all reasonable steps to ensure that the individual is generally aware of—

- (a) *the purpose of the collection; and*
- (b) *if the collection of the personal information is authorised or required under a law—*
 - (i) *the fact that the collection of the information is authorised or required under a law; and*
 - (ii) *the law authorising or requiring the collection; and*
- (c) *if it is the agency's usual practice to disclose personal information of the type collected to any entity (the **first entity**)—the identity of the first entity; and*
- (d) *if the agency is aware that it is the usual practice of the first entity to pass on information of the type collected to another entity (the **second entity**)—the identity of the second entity.*

(4) The agency must take the reasonable steps required under subsection (3)—

- (a) *if practicable—before the personal information is collected; or*
- (b) *otherwise—as soon as practicable after the personal information is collected.*

(5) However, the agency is not required to act under subsection (3) if—

- (a) *the personal information is collected in the context of the delivery of an emergency service; and*
Example—
 - personal information collected during a triple 0 emergency call or during the giving of treatment or assistance to a person in need of an emergency service*
- (b) *the agency reasonably believes there would be little practical benefit to the individual in complying with subsection (3) in the circumstances; and*
- (c) *the individual would not reasonably expect to be made aware of the matters mentioned in subsection (3).*

IPP 3 - Collection of personal information (relevance etc.)

(1) This section applies to the collection by an agency of personal information for inclusion in a document or generally available publication.

(2) However, this section applies to personal information only if the agency asks for the personal information from any person.

(3) The agency must take all reasonable steps to ensure that—

- (a) the personal information collected is—
 - (i) relevant to the purpose for which it is collected; and*
 - (ii) complete and up to date; and**
- (b) the extent to which personal information is collected from the individual the subject of it, and the way personal information is collected, are not an unreasonable intrusion into the personal affairs of the individual.*

IPP 4 - Storage and security of personal information

(1) An agency having control of a document containing personal information must ensure that—

- (a) the document is protected against—
 - (i) loss; and*
 - (ii) unauthorised access, use, modification or disclosure; and*
 - (iii) any other misuse; and**
- (b) if it is necessary for the document to be given to a person in connection with the provision of a service to the agency, the agency takes all reasonable steps to prevent unauthorised use or disclosure of the personal information by the person.*

(2) Protection under subsection (1) must include the security safeguards adequate to provide the level of protection that can reasonably be expected to be provided.

IPP 5- Providing information about documents containing personal information

(1) An agency having control of documents containing personal information must take all reasonable steps to ensure that a person can find out—

- (a) whether the agency has control of any documents containing personal information; and*
- (b) the type of personal information contained in the documents; and*
- (c) the main purposes for which personal information included in the documents is used; and*
- (d) what an individual should do to obtain access to a document containing personal information about the individual.*

(2) An agency is not required to give a person information under subsection (1) if, under an access law, the agency is authorised or required to refuse to give that information to the person.

IPP 6 - Access to documents containing personal information

(1) An agency having control of a document containing personal information must give an individual the subject of the personal information access to the document if the individual asks for access.

(2) An agency is not required to give an individual access to a document under subsection (1) if—

- (a) the agency is authorised or required under an access law to refuse to give the access to the individual; or*
- (b) the document is expressly excluded from the operation of an access law.*

IPP 7 - Amendment of documents containing personal information

(1) An agency having control of a document containing personal information must take all reasonable steps, including by the making of an appropriate amendment, to ensure the personal information—

- (a) is accurate; and
- (b) having regard to the purpose for which it was collected or is to be used and to any purpose directly related to fulfilling the purpose, is relevant, complete, up to date and not misleading.

(2) Subsection (1) applies subject to any limitation in a law of the State providing for the amendment of personal information held by the agency.

(3) Subsection (4) applies if—

- (a) an agency considers it is not required to amend personal information included in a document under the agency's control in a way asked for by the individual the subject of the personal information; and
- (b) no decision or recommendation to the effect that the document should be amended wholly or partly in the way asked for has been made under a law mentioned in subsection (2).

(4) The agency must, if the individual asks, take all reasonable steps to attach to the document any statement provided by the individual of the amendment asked for.

IPP 8 - Checking of accuracy etc. of personal information before use by agency

Before an agency uses personal information contained in a document under its control, the agency must take all reasonable steps to ensure that, having regard to the purpose for which the information is proposed to be used, the information is accurate, complete and up to date.

IPP 9 - Use of personal information only for relevant purpose

(1) This section applies if an agency having control of a document containing personal information proposes to use the information for a particular purpose.

(2) The agency must use only the parts of the personal information that are directly relevant to fulfilling the particular purpose.

IPP 10 - Limits on use of personal information

(1) An agency having control of a document containing personal information that was obtained for a particular purpose must not use the information for another purpose unless—

- (a) the individual the subject of the personal information has expressly or impliedly agreed to the use of the information for the other purpose; or
- (b) the agency is satisfied on reasonable grounds that use of the information for the other purpose is necessary to lessen or prevent a serious threat to the life, health, safety or welfare of an individual, or to public health, safety or welfare; or
- (c) use of the information for the other purpose is authorised or required under a law; or
- (d) the agency is satisfied on reasonable grounds that use of the information for the other purpose is necessary for 1 or more of the following by or for a law enforcement agency—
 - (i) the prevention, detection, investigation, prosecution or punishment of criminal offences or breaches of laws imposing penalties or sanctions;
 - (ii) the enforcement of laws relating to the confiscation of the proceeds of crime;
 - (iii) the protection of the public revenue;
 - (iv) the prevention, detection, investigation or remedying of seriously improper conduct;
 - (v) the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of the orders of a court or tribunal; or

- (e) *the other purpose is directly related to the purpose for which the information was obtained; or*
Examples for paragraph (e)—

1 An agency collects personal information for staff administration purposes. A new system of staff administration is introduced into the agency, with much greater functionality. Under this paragraph, it would be appropriate to transfer the personal information into the new system.

2 An agency uses personal information, obtained for the purposes of operating core services, for the purposes of planning and delivering improvements to the core services.

- (f) *all of the following apply—*
- (i) *the use is necessary for research, or the compilation or analysis of statistics, in the public interest;*
 - (ii) *the use does not involve the publication of all or any of the personal information in a form that identifies any particular individual the subject of the personal information;*
 - (iii) *it is not practicable to obtain the express or implied agreement of each individual the subject of the personal information before the use.*

(2) If the agency uses the personal information under subsection (1) (d), the agency must include with the document a note of the use.

IPP 11 - Limits on disclosure

*(1) An agency having control of a document containing an individual's personal information must not disclose the personal information to an entity (the **relevant entity**), other than the individual the subject of the personal information, unless—*

- (a) *the individual is reasonably likely to have been aware, or to have been made aware, under IPP 2 or under a policy or other arrangement in operation before the commencement of this schedule, that it is the agency's usual practice to disclose that type of personal information to the relevant entity; or*
- (b) *the individual has expressly or impliedly agreed to the disclosure; or*
- (c) *the agency is satisfied on reasonable grounds that the disclosure is necessary to lessen or prevent a serious threat to the life, health, safety or welfare of an individual, or to public health, safety or welfare; or*
- (d) *the disclosure is authorised or required under a law; or*
- (e) *the agency is satisfied on reasonable grounds that the disclosure of the information is necessary for 1 or more of the following by or for a law enforcement agency—*
 - (i) *the prevention, detection, investigation, prosecution or punishment of criminal offences or breaches of laws imposing penalties or sanctions;*
 - (ii) *the enforcement of laws relating to the confiscation of the proceeds of crime;*
 - (iii) *the protection of the public revenue;*
 - (iv) *the prevention, detection, investigation or remedying of seriously improper conduct;*
 - (v) *the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of the orders of a court or tribunal; or*
- (f) *all of the following apply—*
 - (i) *the disclosure is necessary for research, or the compilation or analysis of statistics, in the public interest;*
 - (ii) *the disclosure does not involve the publication of all or any of the personal information in a form that identifies the individual;*
 - (iii) *it is not practicable to obtain the express or implied agreement of the individual before the disclosure;*

- (iv) *the agency is satisfied on reasonable grounds that the relevant entity will not disclose the personal information to another entity.*

(2) If the agency discloses the personal information under subsection (1) (e), the agency must include with the document a note of the disclosure.

(3) If the agency discloses personal information under subsection (1), it must take all reasonable steps to ensure that the relevant entity will not use or disclose the information for a purpose other than the purpose for which the information was disclosed to the agency.

(4) The agency may disclose the personal information under subsection (1) if the information may be used for a commercial purpose involving the relevant entity's marketing of anything to the individual only if, without limiting subsection (3), the agency is satisfied on reasonable grounds that—

- (a) it is impracticable for the relevant entity to seek the consent of the individual before the personal information is used for the purposes of the marketing; and*
- (b) the relevant entity will not charge the individual for giving effect to a request from the individual to the entity that the individual not receive any marketing communications; and*
- (c) the individual has not made a request mentioned in paragraph (b); and*
- (d) in each marketing communication with the individual, the relevant entity will draw to the individual's attention, or prominently display a notice, that the individual may ask not to receive any further marketing communications; and*
- (e) each written marketing communication from the relevant entity to the individual, up to and including the communication that involves the use, will state the relevant entity's business address and telephone number and, if the communication with the individual is made by fax, or other electronic means, a number or address at which the relevant entity can be directly contacted electronically.*