

Impact Analysis Statement

Summary IAS

Details

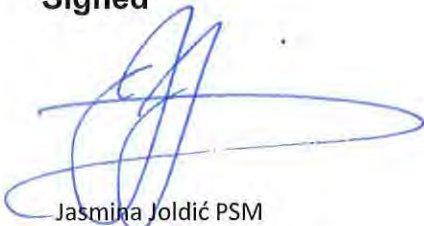
Lead department	Department of Justice and Attorney-General
Name of the proposal	Amendments to be moved during consideration in detail of the Information Privacy and Other Legislation Amendment Bill 2023
Submission type (<i>Summary IAS / Consultation IAS / Decision IAS</i>)	Summary IAS
Title of related legislative or regulatory instrument	Information Privacy and Other Legislation Amendment Bill 2023
Date of issue	November 2023

Proposal type	Details
Minor and machinery in nature	<p>Amendments to be moved during consideration in detail of the Information Privacy and Other Legislation Amendment Bill 2023 (the Bill) include technical amendments which did not arise from the Education, Employment and Training Committee (Committee) hearing on the Bill. These amendments:</p> <ol style="list-style-type: none"> remove duplication of obligations of agencies to contain a data breach (clause 33 of the Bill - new sections 48(2)(a) and 48(4)); clarify requirements for consent for entry to authorised officers to places occupied by agencies (clause 33 of the Bill – new sections 67 and 68); and correct a reference related to waivers and modifications by the Information Commissioner (clause 36(1) of the Bill); and correct incorrect references (clause 4(3), clause 14 and clause 41(4)), <p>These amendments address minor technical issues and are consistent with the underlying policy intent for the Bill. They are not expected to have any additional regulatory costs for agencies as compared to the Bill.</p>
Regulatory proposals where no RIA is required	<p>Amendments to be moved during consideration in detail of the Information Privacy and Other Legislation Amendment Bill 2023 (the Bill) include amendments which did not arise from the Committee hearing on the Bill, and are deregulatory in nature. The amendments exclude an APP entity under the <i>Privacy Act 1988</i> (Cth) from being an agency under the <i>Information Privacy Act 2009</i> (IP Act), meaning that obligations under the Act will not apply to it. This broader exemption will replace specific exemptions included in the Bill related to the new single set of privacy principles (clause 23(2)) and the mandatory data breach notification scheme (clause 33 – new section 46(2)).</p> <p>These amendments are intended to remove rare instances of duplication for agencies that are both an APP entity under the Commonwealth Privacy Act and an agency under the IP Act.</p>

	The amendments are deregulatory because they remove regulation as compared to the Bill and the current IP Act.
Cabinet exemptions	Not applicable.

*Refer to *The Queensland Government Better Regulation Policy* for regulatory proposals not requiring regulatory impact analysis (for example, public sector management, changes to existing criminal laws, taxation).

Signed



Jasmina Joldić PSM
 A/Director-General
 Department of Justice and Attorney-General
 Date: 06.12.2023



Yvette D'Ath MP
 Attorney-General and Minister for Justice and
 Minister for the Prevention of Domestic and Family
 Violence
 Date: 8/12/23