

Permitted general situations

From section 16A of the *Privacy Act 1988*.

(1) A **permitted general situation** exists in relation to the collection, use or disclosure by an APP entity of personal information about an individual, or of a government related identifier of an individual, if:

- (a) the entity is an entity of a kind specified in an item in column 1 of the table; and
- (b) the item in column 2 of the table applies to the information or identifier; and
- (c) such conditions as are specified in the item in column 3 of the table are satisfied.

Permitted general situations			
Item	Column 1	Column 2	Column 3
	Kind of entity	Item applies to	Condition(s)
1	APP entity	(a) personal information; or (b) a government related identifier.	(a) it is unreasonable or impracticable to obtain the individual's consent to the collection, use or disclosure; and (b) the entity reasonably believes that the collection, use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of any individual, or to public health or safety.
2	APP entity	(a) personal information; or (b) a government related identifier.	(a) the entity has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to the entity's functions or activities has been, is being or may be engaged in; and (b) the entity reasonably believes that the collection, use or disclosure is necessary in order for the entity to take appropriate action in relation to the matter.
3	APP entity	Personal information	(a) the entity reasonably believes that the collection, use or disclosure is reasonably necessary to assist any APP entity, body or person to locate a person who has been reported as missing; and (b) the collection, use or disclosure complies with the rules made under subsection (2).
4	APP entity	Personal information	The collection, use or disclosure is reasonably necessary for the establishment, exercise or defence of a legal or equitable claim.
5	APP entity	Personal information	The collection, use or disclosure is reasonably necessary for the purposes of a confidential alternative dispute resolution process.
6	Agency	Personal	The entity reasonably believes that

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Item	Column 1	Column 2	Column 3
	Kind of entity	Item applies to	Condition(s)
		information	the collection, use or disclosure is necessary for the entity's diplomatic or consular functions or activities.
7	Defence Force	Personal information	<p>The entity reasonably believes that the collection, use or disclosure is necessary for any of the following occurring outside Australia and the external Territories:</p> <p>(a) war or warlike operations;</p> <p>(b) peacekeeping or peace enforcement;</p> <p>(c) civil aid, humanitarian assistance, medical or civil emergency or disaster relief.</p>