

OAIC - Commissioner

From: s 22, Naomi
Sent: Wednesday, 30 November 2022 4:21 PM
To: OAIC - Commissioner
Cc: s 22, Samantha; s 22, Rebecca; s 22, Jason; s 22, Sarah; s 22, Elizabeth
Subject: FOR REVIEW: Briefing materials for presentation to Scrutiny of Delegated Legislation Committee
Attachments: Privacy presentation to Scrutiny of Delegated Legislation Committee (1 December 2022) - speaking notes and background.DOCX
Categories: Added to Calendar

Snapshot	
Due date	11am 1 December 2022
Fixed or flexible	Fixed
Topic for clearance	Materials - Presentation to Senate Standing Committee for the Scrutiny of Delegated Legislation
Product (e.g. brief / submission)	Briefing materials – speaking notes plus background
Length / no. of pages	18 pages (11 pages plus attachments)
External party?	Senate Standing Committee for the Scrutiny of Delegated Legislation
Consultation/Clearance	Rebecca s 22; Sarah s 22
Responsible director	Rebecca s 22
Final Clearance by	Angelene s 22

Dear Angelene

In advance of your presentation to the Senate Standing Committee for the Scrutiny of Delegated Legislation, our team has prepared some speaking notes and background materials: [D2022/025882](#) and attached. The presentation will now only run for half an hour from 11am-11:30am.

Please let us know if you have any questions.

Kind regards
 Naomi



Naomi s 22 | Assistant Director
 Regulation and Strategy
 Office of the Australian Information Commissioner
 GPO Box 5218 Sydney NSW 2001 | oaic.gov.au

s 22

f | in | t | [Subscribe to Information Matters](#)

From: s 22 Justin
To: s 22 Leo
Cc: s 22 Rocelle
Subject: [FOI Commissioner approval] IC review decision - s 22 and Services Australia s 22 ,
s 22 [SEC=OFFICIAL]
Date: Wednesday, 30 November 2022 11:31:01 AM
Attachments: [image001.jpg](#)

Dear Leo,

I refer to my email below seeking your approval of the draft decision in s 22 and *Services Australia* (OAIC ref no s 22), which is part of a cohort of IC reviews involving the same applicant and respondent and the same issues s 47E(d)

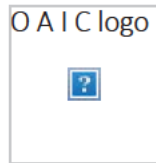
As flagged in my email, please see below for your approval a snapshot for the draft decisions in the following related matters:

- s 22 and *Services Australia* (OAIC ref no s 22)
- s 22 and *Services Australia* (OAIC ref no s 22)
- s 22 and *Services Australia* (OAIC ref no s 22)
- s 22 and *Services Australia* (OAIC ref no s 22)

s 47E(d)

Happy to discuss.

Regards



Justin s 22 | Director
 FOI Regulatory Group
 Office of the Australian Information Commissioner
 GPO Box 5218 Sydney NSW 2001 | oaic.gov.au
s 22

Snapshot	
Due date	2 weeks (standard)
Fixed or flexible	Flexible
If fixed, why?	N/A
Topic for clearance	s 22 and Services Australia – s 22 s 22
Product	Draft IC Review decisions
Scope	s 47E(d)
Exemptions	
Length / no. of pages*	Draft decisions – 14 pages. Key documents on Resolve files for the respective matters
Third parties	N/A
Issues for Commissioner	s 47E(d)
Other considerations	This is part of a cohort of 7 IC reviews involving the same applicant and respondent.
Review officer	Justin s 22, Director
Clearance	Rocelle s 22, Assistant Commissioner Leo s 22 PSM KC, Freedom of Information Commissioner
Final clearance	Freedom of Information Commissioner

From: s 22, Justin

Sent: Friday, 18 November 2022 5:29 PM

To: s 22, Leo s 22

Cc: s 22, Rocelle s 22

Subject: [FOI Commissioner approval] IC review decision – s 22 and Services Australia s 22

Dear Leo,

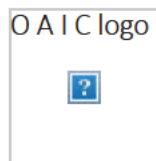
I refer to our recent FOI Commissioner input meeting about the draft decision in s 22 and the completed action items arising from that meeting (as set out in the below emails).

Please see below for your approval a snapshot for the draft decision in s 22 and Services Australia (OAIC ref no s 22).

s 47E(d)

Happy to discuss.

Regards



Justin s 22 | Director
 FOI Regulatory Group
 Office of the Australian Information Commissioner
 GPO Box 5218 Sydney NSW 2001 | [oaic.gov.au](https://www.oaic.gov.au)
 s 22

Snapshot	
Due date	2 weeks
Fixed or flexible	Flexible
If fixed, why?	N/A
Topic for clearance	s 22 and Services Australia – s 22
Product	Draft IC Review decision
Scope	s 47E(d)
Exemptions	
Length / no. of pages*	Draft decision – 14 pages.

	<p>Key documents on Resolve record [reference no s 22]</p> <p>*Tab 1. Draft decision</p> <p>*Tab 2. Original decision</p> <p>*Tab 3. Internal review decision</p> <p>*Tab 4. IC review application</p> <p>*Tab 5. Respondent's submissions</p> <p>*Tab 5(a). Respondent's submissions (May 2020)</p> <p>*Tab 5(b). Respondent's submissions (July 2022)</p> <p>*Tab 6. Applicant's submissions (March 2022)</p> <p>*Tab 7. Marked up document at issue</p>
Third parties	N/A
Issues for Commissioner	See scope above
Other considerations	s 47E(d)
Review officer	Justin s 22 , Director
Clearance	Rocelle s 22 , Assistant Commissioner Leo s 22 PSM KC, Freedom of Information Commissioner
Final clearance	Freedom of Information Commissioner

From: s 22, Justin

Sent: Wednesday, 9 November 2022 5:11 PM

To: s 22, Leo s 22; s 22, Rocelle s 22

Subject: RE: Discussion about the draft decision s 22 - action item and update

Dear Rocelle and Leo,

Thank you for meeting with me about this draft decision this morning.

s 47E(d)

Happy to discuss.

Regards

O A I C logo



Justin s 22 | Director
FOI Regulatory Branch
Office of the Australian Information Commissioner
GPO Box 5218 Sydney NSW 2001 | [oaic.gov.au](https://www.oaic.gov.au)

s 22

-----Original Appointment-----

From: s 22, Justin
Sent: Monday, 7 November 2022 1:24 PM
To: s 22, Justin; s 22, Leo; s 22, Rocelle
Subject: Discussion about the draft decision s 22 (and the cohort of related matters)
When: Wednesday, 9 November 2022 11:30 AM-12:00 PM (UTC+10:00) Canberra, Melbourne, Sydney.
Where: Microsoft Teams Meeting

Dear Leo,

The purpose of this meeting is to discuss the draft decision in IC review s 22 and how to finalise the cohort of matters with you.



I have attached Rocelle's recent emails as background. The draft decision is on the Resolve file for s 22

Regards

Justin

Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 424 898 773 365

Passcode: DWHHgC

[Download Teams](#) | [Join on the web](#)

Join with a video conferencing device

839060488@t.plcm.vc

Video Conference ID: 137 907 159 0

[Alternate VTC instructions](#)

Or call in (audio only)

[+61 2 7208 4918, 764140231#](tel:+61272084918764140231) Australia, Sydney

Phone Conference ID: 764 140 231#

[Find a local number](#) | [Reset PIN](#)

[Learn More](#) | [Meeting options](#)

OAIC - Commissioner

From: s 22, Iris
Sent: Tuesday, 29 November 2022 8:03 PM
To: s 22, Angelene; OAIC - Commissioner
Cc: s 22, Elizabeth; s 22, Sarah; s 22, Lisa; s 22, Lucy
Subject: [For Commissioner clearance by midday Wednesday]: APPA 58 Draft Communique
Attachments: 58th APPA Forum Communique (23 November 2022).docx

Snapshot	
Due date	Midday 30 November Wednesday
Fixed or flexible	Fixed, as PDPC Singapore has requested final comments by this time
Topic for clearance	APPA 58 forum communique - draft
Product (e.g. brief / submission)	Draft APPA 58 communique attached
Length / no. of pages	6 pages
External parties	APPA 58 Secretariat and conference attendees
Clearance & consultation	Elizabeth s 22, Deputy Commissioner Sarah s 22 A/g Assistant Commissioner, R&S Lisa s 22, A/g Director, S&S
Responsible director	Lisa s 22, A/g Director S&S
Final Clearance by	Commissioner


Dear Commissioner

I'm happy to report that the first day of APPA 58 went very well. Libby did a fantastic job presenting on the jurisdiction report and our COVID-19 activities.

We have reviewed the attached draft communique that has been distributed and have no comments. Libby and Sarah have cleared this approach.

Are you comfortable with us agreeing to the publication of this communique tomorrow? PDPC have sought final comments by midday AEDT tomorrow (30 November).

Kind regards,
Iris

 Iris s 22 | Assistant Director
 Regulation and Strategy
 Office of the Australian Information Commissioner
 GPO Box 5288 Sydney NSW 2001 | oaic.gov.au

s 22
    [Subscribe to Information Matters](#)

OAIC - Commissioner

From: s 22, Naomi
Sent: Tuesday, 29 November 2022 8:49 AM
To: OAIC - Commissioner
Cc: s 22, Rebecca; s 22, Sarah; s 22, Jason; s 22, Jian; s 22, Caren; s 22, Elizabeth; s 22, Samantha
Subject: FOR CLEARANCE: MoU with National Data Commissioner
Attachments: Memorandum of Understanding - The National Data Commissioner and the Australian Information Commissioner.pdf
Categories: Added to Calendar

Snapshot	
Due date	6 December 2022
Fixed or flexible	Flexible
Topic for clearance	Memorandum of Understanding – The National Data Commissioner and the Australian Information Commissioner
Product (e.g. brief / submission)	Memorandum of Understanding
Length / no. of pages	7
External party?	Office of the National Data Commissioner
Consultation/Clearance	Rebecca s 22; Jian s 22; Caren s 22; Sarah s 22
Responsible director	Rebecca s 22
Final Clearance by	Angelene s 22


Dear Angelene

For your signature, attached is the Memorandum of Understanding negotiated with the Office of the National Data Commissioner (ONDC). The parties under the MoU are listed as the Australian Information Commissioner (AIC) and the National Data Commissioner (NDC) as the ONDC is not a separate legal entity capable of entering an MoU. In negotiating the MoU we have worked in collaboration with Jian and Caren in Legal.

The MoU sets out the mutual understanding of the AIC and NDC in relation to their working relationship but does not create enforceable rights or impose legally binding obligations. The structure of the MoU provides for the development of other processes and protocols that will provide more detail on how the Parties work together.

Please let us know if you have any questions in relation to the MoU.

Kind regards
 Naomi

 Naomi s 22 | Assistant Director
 Regulation and Strategy
 Office of the Australian Information Commissioner
 GPO Box 5218 Sydney NSW 2001 | [oaic.gov.au](https://www.oaic.gov.au)

s 22
    [Subscribe to Information Matters](#)

OAIC - Commissioner

From: s 22, Lorraine
Sent: Tuesday, 29 November 2022 7:55 AM
To: s 22, Angelene; OAIC - Commissioner
Cc: s 22, Annamie; s 22, Brenton; s 22, Samantha; s 22, Elizabeth
Subject: [For clearance] by midday Thursday 1 December 2022: Responses to Senate Estimates QoNs from Budget Estimates November 2022 [SEC=OFFICIAL]

Categories: Added to Calendar

Snapshot	
Due date	Midday Thursday 1 December 2022
Fixed or flexible	Fixed
If fixed, why?	Requirement advised by AGD Senate Estimates team
Topic for clearance	Responses to Questions on Notice (QoNs)
Product (e.g. brief / submission)	Responses to 4 QoNs
Length / no. of pages	Various
External parties	AGD
Clearance & consultation	Responsible officers shown in below table, Deputy Commissioner
Responsible director	Director Corporate Services
Final Clearance by	Australian Information and Privacy Commissioner

Dear Angelene

In addition to the one question on notice received during the Budget Estimates hearing on 7 November 2022 (LCC-OBE22-61) the OAIC received a further three written questions on notice following the hearing as shown below, one of these being a parliamentary QoN (SQoN 1058).

QoN No.	QoNs Subject	Responsible officer	Template TRIM Link
SQoN 1058	Potential misuse of personal information by DG Institute	David s 22	D2022/025216
LCC-OBE22-61	Resources for FOI work - correspondence with Attorney-General	Annamie s 22 / Brenton s 22	D2022/025320
LCC-OBE22-119	OAIC - general questions	Alex s 22 / Rebecca s 22	D2022/025629
LCC-OBE22-120	Optus Data Breach	Rob s 22 / Sarah s 22	D2022/025630

An agency head cleared response to the each of the QoNs must be submitted to AGD by midday Thursday 1 December 2022.

All of the QoNs have been cleared by the Deputy Commissioner, with track changes shown, and are referred to you for your clearance.

Regards
 Lorraine


From: s 22, Elizabeth s 22
 Sent: Monday, 28 November 2022 8:41 PM
 To: s 22, Lorraine s 22
 Cc: s 22, Brenton s 22; s 22, Annamie s 22; s 22, Rob s 22; s 22, Sarah s 22; s 22, Alexandra s 22; s 22, Rebecca s 22; s 22, David s 22
 Subject: RE: [For clearance] Responses to Senate Estimates QoNs from Budget Estimates November 2022 - action by midday Thursday 1 December 2022 [SEC=OFFICIAL]

Thanks Lorraine – cleared by me with a few tracks.

Thanks to all for this work.

Cheers

Libby

 Elizabeth s 22 | Deputy Commissioner
 Office of the Australian Information Commissioner
 GPO Box 5218 Sydney NSW 2001 | oaic.gov.au
 s 22

From: s 22, Lorraine s 22
 Sent: Monday, 28 November 2022 2:40 PM
 To: s 22, Elizabeth s 22
 Cc: s 22, Brenton s 22; s 22, Annamie s 22; s 22, Rob s 22; s 22, Sarah s 22; s 22, Alexandra s 22; s 22, Rebecca s 22; s 22, David s 22
 Subject: [For clearance] Responses to Senate Estimates QoNs from Budget Estimates November 2022 - action by midday Thursday 1 December 2022 [SEC=OFFICIAL]

Dear Libby

The responses to the QoNs have been drafted and are referred for your clearance:

QoN No.	QoNs Subject	Responsible officer	Template TRIM Link	Notes
SQoN 1058	Potential misuse of personal information by DG Institute	David s 22	D2022/025216	Referred for clearance.
LCC-OBE22-61	Resources for FOI work - correspondence with Attorney-General	Annamie / Brenton	D2022/025320	Referred for clearance.
LCC-OBE22-119	OAIC - general questions	Alex s 22 / Rebecca s 22	D2022/025629	Q1. CDR response cleared by EH 25/11. Q2 referred for clearance.

LCC-OBE22-120	Optus Data Breach	Rob s 22	D2022/025630	Referred for clearance.
---------------	-------------------	----------	------------------------------	-------------------------

An agency head cleared response to the each of the QoNs must be submitted to AGD by midday Thursday 1 December 2022.

Once cleared they will be sent to Angelene for clearance.

Please let me know if you require any assistance.

Regards
Lorraine

From: s 22, Lorraine s 22
Sent: Thursday, 24 November 2022 9:33 AM
To: OAIC Executive s 22
Cc: s 22, Brenton s 22, Samantha s 22
Subject: [For information] Responses to Senate Estimates QoNs from Budget Estimates November 2022 - action by midday Thursday 1 December 2022 [SEC=OFFICIAL]

Dear OAIC Executive

The OAIC received one written question on notice at the Budget Estimates hearing on Monday 7 November and has been in receipt of three further written questions.

The responses to the following questions on notice are in the process of being drafted:

QoN No.	QoNs Subject	Responsible officer	Template Link
SQoN 1058	Potential misuse of personal information by DG Institute	David s 22	D2022/025216
LCC-OBE22-61	Resources for FOI work - correspondence with Attorney-General	Annamie / Brenton	D2022/025320
LCC-OBE22-119	OAIC - general questions	Alex s 22 / Rebecca s 22	D2022/025629
LCC-OBE22-120	Optus Data Breach	Rob s 22	D2022/025630

An agency head cleared response to the each of the QoNs must be submitted to AGD by midday Thursday 1 December 2022.

The proposed clearance schedule is:

- Deputy Commissioner clearance by Friday 25 November
- Commissioner clearance by 10am Tuesday 29 November

For reference the Hansard transcript of the hearing can be found here: [D2022/025000](#)

If you have any questions, please let me know.

Regards
Lorraine

OAIC - Commissioner

From: s 22, Lorraine
Sent: Monday, 28 November 2022 3:24 PM
To: s 22, Angelene; OAIC - Commissioner
Cc: s 22, Annamie; s 22, Samantha; s 22, Elizabeth; s 22, Brenton
Subject: [For clearance and signature] Hansard clarification Budget Estimates 7-8 November
 - Legal and Constitutional Affairs Legislation Committee [SEC=OFFICIAL]
Attachments: RE: Estimates Hansard [SEC=OFFICIAL]
Categories: Added to Calendar

Snapshot	
Due date	Request states 'as soon as possible to correct the public record'.
Fixed or flexible	Fixed
If fixed, why?	Requirement of AGD Senate Estimate team
Topic for clearance	Clarification to evidence Budget Estimates hearing 7 November 2022
Product (e.g. brief / submission)	Letter: Clarification to Hansard – Budget Estimates hearing on 7 November 2022 D2022/025092
Length / no. of pages	1 page
External parties	Committee Secretary Senate Legal and Constitutional Affairs Committee
Clearance & consultation	Deputy Commissioner, Assistant Commissioner Corporate, Director Corporate Services
Responsible director	Director Corporate Services
Final Clearance by	Australian Information and Privacy Commissioner

Dear Angelene

Following your appearance at the Budget Estimates hearing on Monday 7 November 2022 I received the attached email from Libby advising that 'a correction to the record – page 99, 3rd last line – references 11 September – it should be that the investigation commenced on 11 October'.

A clarification to evidence is when a witness has made an incorrect statement. This requires the witness to provide a letter addressed to the Committee Secretary stating what they wish to clarify and their revised response.

Clarifications are to be sent to the s 22 as soon as possible to correct the public record.

In reviewing the clarification required I have drafted the clarification letter for your signature, which can be found here: [D2022/025092](#). The clarification advised by Libby with regards to the change of date for the commencement of the Optus investigation on 11 October has been clarified as follows:

On page 99 of the transcript, in an exchange with Senator s 22, I said:

"Since that time, I initiated preliminary inquiries with Optus on the 26th, the following Monday, and then I opened an investigation on 11 September".

I wish to clarify that the Optus investigation was opened on 11 October 2022 not 11 September 2022 as stated.

I was also notified by Annamie of another possible clarification to correct the legal figures given for the s 22 matter. At a meeting with both Annamie and Brenton today it was determined that the figures that you quoted in the hearing were correct at the time of the hearing and that a clarification to correct the legal figures given for the s 22 matter was not required.

The Clarification to Hansard – Budget Estimates hearing on 7 November 2022 letter [D2022/025092](#) is referred for your signature.

Regards
Lorraine

From: s 22, Lorraine s 22
Sent: Thursday, 17 November 2022 8:59 AM
To: s 22, Annamie s 22
Cc: s 22, Brenton s 22; s 22, Lorraine s 22
Subject: FW: For action by COB Tuesday 20 December 2022: Hansard Clarifications and Corrections from Budget Estimates 7-8 November - Legal and Constitutional Affairs Legislation Committee [SEC=OFFICIAL]

Hi Annamie

We have received the proof Hansard transcript for the Budget Estimates hearing held on Monday 7 November as well as the instructions for submitting corrections and clarifications to evidence from AGD.

AGD have requested that the OAIC review the transcript taken during the OAIC's appearance at Budget Estimates on 7 November 2022 to identify corrections to evidence. Corrections must be sent to the s 22 no later than COB Tuesday 20 December 2022.

A correction to evidence is when Hansard has incorrectly transcribed a witness' statement. Corrections are restricted to typographical and transcription errors.

I have extracted the OAIC's portion of the attached proof Hansard transcript for the Budget Estimates hearings held on 7 November 2022 which has been saved here: [D2022/025000](#).

I have compared the Hansard transcript to the [Legal & Constitutional Affairs \[Part 2\]](#) appearance and can advise that no corrections are required. Brenton has reviewed my assessment and has agreed that no response be provided with regards to any corrections to Hansard in this instance.

A clarification to evidence is when a witness has made an incorrect statement. This requires the witness to provide a letter addressed to the Committee Secretary stating what they wish to clarify and their revised response. Clarifications are to be sent to the s 22 as soon as possible to correct the public record.

In reviewing the clarifications required I have drafted the clarification letter which can be found here: [D2022/025092](#)

Clarification 1

The clarification advised by Libby with regards to the change of date for the commencement of the Optus investigation on 11 October has been clarified as follows:

On page 99 of the transcript, in an exchange with Senator s 22, I said:

"Since that time, I initiated preliminary inquiries with Optus on the 26th, the following Monday, and then I opened an investigation on 11 September".

I wish to clarify that the Optus investigation was opened on 11 October 2022 not 11 September 2022 as stated.

Clarification 2

I seek your advice as to the clarification required to correct the legal figures given for the s 22 matter:

On page 105 of the transcript, in an exchange with Senator s 22, I said:

The costs in the case have been higher than anticipated. We've been invoiced for \$466,000, and there's work in progress of a further \$97,000, and I expect—with the hearing that's now set down for February, due to the judge's unavailability in November—that, potentially, to increase from there.

The estimate would be in the \$700,000 range.

I wish to clarify that the quoted amount of \$466,000 that has been invoiced and the work in progress figure of \$97,000 should be the amount of \$???? that has been invoiced and the work in progress amount should be \$?????. Additionally clarification is provided that the estimate would be in the range of \$????.

Could you please advise what figures are to be corrected and the figures to be substituted into the transcript in order to finalise this letter? Once finalised the letter will need to be sent to Angelene for approval and for her signature to be applied to the letter.

Would you like me to set up a meeting with you and Brenton to discuss this request?

Regards
Lorraine

From: Senate Estimates Inbox s 22
Sent: Monday, 14 November 2022 9:45 AM
Cc: [Secretary Office] s 22; Senate Estimates Inbox s 22; <AGD Group and Divisional Coordinators> s 22; Laura s 22
Subject: For action by COB Tuesday 20 December 2022: Hansard Clarifications and Corrections from Budget Estimates 7-8 November - Legal and Constitutional Affairs Legislation Committee [SEC=OFFICIAL]

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

OFFICIAL

Good morning colleagues,

Please find attached the proof Hansard transcripts for the Budget Estimates hearings held on Monday 7 and Tuesday 8 November 2022.

Please review the transcript to identify corrections and clarifications to evidence. Corrections must be sent to the s 22 no later than **COB Tuesday 20 December 2022**.

Clarifications should be sent to the s 22 as soon as possible to correct the public record.

When considering if a correction or clarification needs to be made, please note that:

1. a correction to evidence is when Hansard has incorrectly transcribed a witness' statement. It is essential you provide corrections by the due date as when Hansard finalises the transcript no changes can be made. Corrections should be restricted to typographical and transcription errors. Suggested changes which alter the sense of the evidence or which are designed to improve style are not permitted.
Please Note: Hansard has requested that corrections be provided by **printing, marking changes in red on the document, scanning and emailing** the pages to s 22

2. a clarification to evidence is when a witness has made an incorrect statement. For example, a witness stated at the hearing that the program will continue for a further six months. However, after the hearing the witness realises that they should have stated that program will continue for a further two months, not six months. This circumstance requires the witness to provide a letter addressed to the Committee Secretary (details below) clearly stating what they wish to clarify and their revised response. See 'Example of clarification to evidence'. The Senate Estimates Team will provide the letter to the Committee's Secretariat for circulation to the Committee and publication on the Australian Parliament House website. All clarification letters must be addressed to:

Committee Secretary
Senate Legal and Constitutional Affairs Committee
PO Box 6100
Parliament House
CANBERRA ACT 2600

Please feel free to contact the [Senate Estimates Team](#) if you have any questions about the above process.

Kind regards,

Kirra **s 22**

Senate Estimates Officer

Cabinet, Legislation and Estimates Section | Strategy and Governance Branch

Attorney-General's Department

T:

E:

s 22

(Please note I work Mon-Thur)

We acknowledge the traditional custodians of this land and celebrate their ongoing culture and contribution to society.

OFFICIAL

If you have received this transmission in error please notify us immediately by return e-mail and delete all copies. If this e-mail or any attachments have been sent to you in error, that error does not constitute waiver of any confidentiality, privilege or copyright in respect of information in the e-mail or attachments.

OAIC - Commissioner

From: s 22, Shannon
Sent: Thursday, 24 November 2022 9:04 AM
To: s 22 Angelene; OAIC - Commissioner
Cc: s 22, Andrew
Subject: For clearance: Biometrics Institute Discussion Day event brief and slides - due EOD 28/11/22 [SEC=OFFICIAL]

Categories: Added to Calendar

Snapshot	
Due date	EOD Monday 28 November 2022
Fixed or flexible	Fixed
If fixed, why?	To deliver slide deck to event organiser one day prior to event
Topic for clearance	Biometrics Institute Discussion Day event brief and slide deck
Product (e.g. brief / submission)	Event brief: D2022/023384 Slide deck: D2022/024114
Length / no. of pages	Event brief: 16 Slide deck: 12
External parties	Yes
Clearance & consultation	Iris s 22, Fiona s 22, Lisa s 22, Andrew s 22
Responsible director	Andrew s 22
Final clearance	Angelene s 22

Good morning Commissioner

I am sharing the event brief and slide deck for your presentation at the Biometrics Institute Discussion day that is being held on Wednesday 30 November.

Can you please review and provide clearance by end of day on Monday 28 November? This will allow time to share the slide deck with the event organiser one day prior to the event.

Please let me know if you have any questions.

Kind regards
 Shannon

OAIC - Commissioner

From: s 22, Amy
Sent: Thursday, 24 November 2022 8:40 AM
To: OAIC - Commissioner: s 22, Angelene
Cc: s 22, Elizabeth; s 22, Andre; s 22, Annamie; s 22, David; s 22, Diana; s 22, Heath; s 22, Andrew
Subject: For clearance: COVIDSafe 6-monthly report and stakeholder emails - due 28/11 [SEC=OFFICIAL]
Categories: Added to Calendar

Snapshot	
Due date	Open of business Monday 28 November 2022
Fixed or flexible	Flexible – however, please advise if more time is required so we can coordinate with IGIS and advise the targets of the assessment reports
If fixed, why?	In order to publish COVIDSafe report and 2 assessment reports on Tuesday 29 November
Topic for clearance	COVIDSafe
Product (e.g. brief / submission)	COVIDSafe report May–November 2022: D2022/023340 Government stakeholder emails: D2022/025689 Letter to Inspector-General: D2022/025778
Length / no. of pages	COVIDSafe report May–November 2022: 11 pages Government stakeholder emails: 3 Letter to Inspector-General: 1
External parties	Yes
Clearance & consultation	Elizabeth s 22, Andre s 22, Andrew s 22 David s 22, Diana s 22, Heath s 22
Responsible director	Andrew s 22

Good morning Commissioner

Please see for your clearance the final COVIDSafe report ([D2022/023340](#)) along with government stakeholder emails ([D2022/025689](#)) and a letter to the Inspector-General ([D2022/025778](#)).

We are working towards publishing this report, plus the reports for assessments 2 and 5, next Tuesday 29 November. Andrew is preparing a media release that we will share for clearance separately. The media release will confirm the closure of the assessment program, that the data protections through the COVIDSafe program were effective, and that having legislated protections at the outset maximised the likelihood of strong privacy outcomes.

We are seeking your clearance by Monday morning in order to publish the 3 reports and media release on Tuesday. This timing is flexible, however, please advise if more time is required so we can coordinate with IGIS and advise the targets of the assessment reports.

- Monday 28 November
 - AM – Commissioner clearance
 - ASAP following clearance – Provide advance copy of the 6-monthly report and media release to AGO, AGD, Health and Aged Care and IGIS
- Tuesday 29 November – publish COVIDSafe report, assessment 2 summary report, assessment 5 report and media release

- David Moore to coordinate publication with IGIS.
- [‘Privacy update on the COVIDSafe app’](#) guidance to be updated.

Many thanks

Amy



Amy **s 22** | Assistant Director
Strategic Communications
Office of the Australian Information Commissioner
GPO Box 5218 Sydney NSW 2001 | [oaic.gov.au](https://www.oaic.gov.au)

s 22

f | in | t | [Subscribe to Information Matters](#)

From: s 22, Kevin
To: s 22, Leo
Cc: OAIC - FOI Commissioner; s 22, Rocelle; s 22, Suseela
Subject: [Draft decision] - s 22 and AFP - s 22 [SEC=OFFICIAL]
Date: Wednesday, 23 November 2022 5:26:36 PM
Attachments: [image001.jpg](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Hi Leo

As foreshadowed, the draft decision in s 22 and AFP – s 22 is ready for your consideration – see below snapshot.

I note that the structure broadly follows the decision in s 22. The parties have provided quite extensive submissions, so we decided to take out the sections where we would usually set out the parties' submissions. Instead, we summarised and incorporated the key arguments put forward by parties in the body of the discussion.

Also, given the proposed findings, we thought it would be more efficient (and to minimise repetition) to have a single section on the public interest rather than a separate section on the public interest following each of the ss 47F and 47E(c) discussions.

The relevant documents and draft decision is in the Resolve file.

Happy to discuss.

Thanks

Kevin

Snapshot	
Due date	9 December 2022
Fixed or flexible	Flexible
If fixed, why?	N/A
Topic for clearance	s 22 and AFP (OAIC ref no s 22)
Product	Draft IC Review decision
Length / no. of pages*	Draft decision – 21 pages. Key documents on Resolve record s 22 <ul style="list-style-type: none"> *Tab 0. Draft decision *Tab 1(a). Applicant's FOI request *Tab 1(b). Applicant's revised scope *Tab 2(a). Original decision (30 Apr 2018) *Tab 2(b). Internal review decision (6 Jul 2018) *Tab 3. IC review application (29 May 2018) *Tab 4(a). Documents at issue

- *Tab 4(b). Additional documents at issue
- *Tab 5. Applicant's submissions
 - *Tab 5(a). Applicant's submissions (29 May 2018)
 - *Tab 5(b). Applicant's submissions (18 Jun 2021)
 - *Tab 5(c). Applicant's submissions (6 Jul 2022)
 - *Tab 5(d). Applicant's submissions (17 Aug 2022)
- *Tab 6. Respondent's submissions
 - *Tab 6(a). Respondent's submissions (7 Sep 2018)
 - *Tab 6(b). Respondent's submissions (6 Jan 2021)
 - *Tab 6(c). Respondent's submissions (16 Aug 2021)
 - *Tab 6(d). Respondent's submissions (18 Jun 2022)
 - *Tab 6(e). Respondent's submissions (2 Aug 2022)
- *Tab 7. Third party's submissions
 - *Tab 7(a). Third party's submissions (30 Jul 2018)
 - *Tab 7(b). Third party's submissions (30 Sep 2018)
- *Tab 8(a). Terms of settlement
- *Tab 8(b). Respondent's view on effect of terms of settlement.



Kevin s 22 | IC Review Adviser
 Freedom of information
 Office of the Australian Information Commissioner
 GPO Box 5218 Sydney NSW 2001 | [oaic.gov.au](https://www.oaic.gov.au)

s 22



[Subscribe to Information Matters](#)

Please note that I do not work on Mondays and Tuesdays. If you require urgent assistance on these days, please contact foidr@oaic.gov.au.

OAIC - Commissioner

From: s 22, Caroline
Sent: Tuesday, 22 November 2022 10:28 AM
To: s 22, Angelene; OAIC - Commissioner
Cc: s 22, Rocelle; s 22, Suseela; s 22, Leo; OAIC - FOI Commissioner
Subject: AIAC meeting - Wellington, NZ - 7/8 December 2022 - jurisdictional update for clearance [SEC=OFFICIAL]

Categories: Added to Calendar

Dear Commissioner

Please see below in relation to the jurisdictional update for the upcoming AIAC meeting.

Rocelle has cleared the jurisdictional update.

Snapshot	
Due date	25 November 2022
Fixed or flexible	Fixed
If fixed, why?	AIAC secretariat require all updates to be provided by 28 November in order to distribute to other members
Topic for clearance	<i>AIAC jurisdictional update</i>
Product	OAIC jurisdictional update - D2022/023464 (17 pages)
External parties	Association of Information Access Commissioners
Clearance & consultation	Suseela s 22 (Director) Rocelle s 22 (Assistant Commissioner) – cleared 21/11/22
Responsible Director	Suseela s 22
Final Clearance by	Angelene Falk (Australian Information Commissioner)

Regards,
Caroline



Caroline s 22 | Review Adviser (Legal)
 Systemic & Significant Reviews and Regulatory Advice
 FOI Regulatory Group
 Office of the Australian Information Commissioner
 GPO Box 5288 Sydney NSW 2001 | [oaic.gov.au](https://www.oaic.gov.au)

s 22



[Subscribe to Information Matters](#)

LIDBETTER,Samantha

From: s 22, Kate s 22
Sent: Monday, 21 November 2022 5:24 PM
To: s 22, Robert; s 22, Andrew (External - Unclassified); s 22, Angelene; s 22, Peter (ACCC - Unclassified DLM); s 22, Paul (ACCC - Unclassified DLM); s 22, Emily; s 22, Bart; s 22, Kate; s 22, Barry; s 22, Elizabeth; s 22, Andre; s 22, Sheridan; s 22, Daniel (ACCC - Unclassified DLM); s 22, Jocelyn; s 22, Philip
Subject: CDR program rollout - update on proposed milestones [SEC=OFFICIAL: Sensitive] [SEC=OFFICIAL]
Attachments: CDR program snapshot - proposed milestones - as at November 2022.pptx

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

OFFICIAL:Sensitive

Dear CDR Board members and Steering Committee members,

s 47E(d) Attached is a snapshot summary of the rollout we are working to, which we've extracted from the full schedule that was shared with the Steering Committee on 8 November and which obviously has a lot more detail.

A couple of observations in relation to it:

- The schedule recognises the importance of the cyber security and other uplift of foundational elements of the CDR framework, and therefore work on authentication, FAPI 2 and consent will precede the bringing in of new participants.
 - As a result, the only new data holders proposed to join the system in 2023 will be the non-major Energy companies. s 47E(d) Open Finance dates will follow.
 - We've characterised this as a measured rollout with the Minister.
- Action and payment initiation work is a priority. The dates in the schedule in relation to this work are highly indicative. The Minister is aware of the timing of the passage of legislation is key, as well as other dependencies.
- We will continue to monitor and discuss the schedule, and can make adjustments to it through the Steering Committee forum.

s 47E(d)

Thank you, and very happy to answer any questions on this.

Kind regards,
 Kate

Kate s 22
 First Assistant Secretary
 Consumer Data and Digital Division | Markets Group | The Treasury

s 22
 s 22
 EA: Jo s 22



Consumer Data Right acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, water and community. We pay our respects to them and their cultures and to elders both past and present.



OFFICIAL:Sensitive

Please Note: The information contained in this e-mail message and any attached files may be confidential information and may also be the subject of legal professional privilege. If you are not the intended recipient, any use, disclosure or copying of this e-mail is unauthorised. If you have received this e-mail by error please notify the sender immediately by reply e-mail and delete all copies of this transmission together with any attachments.

OAIC - Commissioner

From: s 22, Penny
Sent: Friday, 18 November 2022 6:25 PM
To: OAIC - Commissioner
Cc: s 22, Melanie; s 22, Annamie; s 22, Penny; s 22, Angelene
Subject: For Clearance: OAIC Audit Committee papers - 6 December 2022 meeting
 [SEC=OFFICIAL:Sensitive]

Categories: Added to Calendar

OFFICIAL: Sensitive

Dear Commissioner,

The next OAIC Audit Committee meeting is on Tuesday 6 December 2022 at 11.30am.

The draft Agenda and Action Items Register can be found at:

- Agenda – [D2022/024220](#)
- Action Items Register - [D2022/024222](#)

A meeting has been scheduled in your diary for Monday 21 November 2022 at 9.30am to provide a briefing on the committee papers. The papers will then be sent to Audit Committee members on Tuesday 22 November 2022, a fortnight ahead of the meeting.

All papers have been cleared by the Deputy Commissioner.

Please note:

- The OAIC Risk Management Policy and Framework and OAIC Risk Profiles that are attached to the Item 8 – Risk Management and Oversight paper, are currently with you for approval. We will review these documents as part of the briefing on Monday.

Grateful for your clearance please of the Audit Committee papers for the 6 December 2022 meeting – details in the Snapshot:

Snapshot	
Due date	Monday 21 November 2022
Fixed or flexible	Fixed
If fixed, why?	Your clearance is required prior to papers being circulated to Audit Committee members on 22 November 2022
Topic for clearance	Audit Committee papers
Product (e.g. brief / submission)	<ul style="list-style-type: none"> • Audit Committee – Item 6 – Financial Reporting - D2022/025302 • Audit Committee – Item 6 – Attachment C - D2022/025369 • Audit Committee – Item 6 – Attachment D - D2022/024701 • Audit Committee – Item 7 – Performance Reporting - D2022/023680

	<ul style="list-style-type: none"> • Audit Committee – Item 8 – Risk Management and Oversight - D2022/024227 • Audit Committee – Item 8 – Attachment A - D2022/024537 • Audit Committee – Item 8 – Attachment B - D2022/025273 • Audit Committee – Item 8 – Attachment C - D2022/024539 • Audit Committee – Item 9.1 – Internal Audit update - D2022/023682 • Audit Committee – Item 9.1 – Attachment A - D2022/025402 • Audit Committee – Item 9.2 – Security - D2022/023683 • Audit Committee – Item 9.2 – Security – Attachment B - D2022/024247 • Audit Committee – Item 9.3 – Fraud - D2022/023684 • Audit Committee – Item 10 – People & Culture - D2022/025366 • Audit Committee – Item 10 – Attachment A - D2022/025336 • Audit Committee – Item 10 – Attachment B - D2022/025337
Length / no. of pages	Item 6 (includes Attachments A and B) – 5 pages Item 6 – Attachment C – 4 pages Item 6 – Attachment D – 6 pages Item 7 – 9 pages Item 8 – 3 pages Item 8 – Attachment A – 33 pages Item 8 – Attachment B – 21 pages Item 8 – Attachment C – 2 pages Item 9.1 – 2 pages Item 9.1 – Attachment A – 10 pages Item 9.2 (+ Attachment A) – 6 pages Item 9.2 – Attachment B – [Spreadsheet – 2 sheets] Item 9.3 – 2 pages Item 10 – 5 pages Item 10 – Attachment A - 1 page Item 10 – Attachment B – 17 pages
External parties	No
Clearance & consultation	Simon s 22 , Mark s 22 , Brenton s 22 , Annamie s 22 , Melanie s 22 and Libby s 22
Responsible directors	Penny s 22
Final clearance	Angelene s 22

Thank you for your assistance.

Best regards,
Penny



Penny **s 22** | Director, Governance & Risk
Office of the Australian Information Commissioner
GPO Box 5288 Sydney NSW 2001 | [oaic.gov.au](https://www.oaic.gov.au)

s 22



[Subscribe to OAICnet newsletter](#)

OFFICIAL: Sensitive

OAIC - Commissioner

From: s 22, Heath
Sent: Friday, 18 November 2022 11:34 AM
To: OAIC - Commissioner
Cc: s 22, Angelene; s 22, Andre; s 22, Kelly
Subject: For clearance: COVIDSafe 2 summary report

Categories: Added to Calendar

Snapshot	
Due date	23 November
Fixed or flexible	Flexible
If fixed, why?	
Topic for clearance	COVIDSafe Assessment 2 summary report
Product (e.g. brief / submission)	Summary report
Length / no. of pages	3
External parties	Yes, for publication on the OAIC website
Responsible director	Heath s 22
Final Clearance by	Angelene s 22

Dear Commissioner,

Please see, for your clearance, the summary report for COVIDSafe assessment 2. The report is available at [D2022/014358](#).

We're looking to publish this summary late next week, so I'd be grateful if you could please review by Wednesday.

Related to this assessment, and FYI only, we have received confirmation from the Commonwealth Department of Health that NSW and Qld have advised DoH they have deleted any COVIDSafe app data they held. In their responses to our recommendations in COVIDSafe Assessment 2, Vic Health stated they have deleted all the data. So that's confirmation from the 3 STHAs that downloaded COVIDSafe app data that they have deleted the data.

Regards,
Heath



Heath s 22 | Director
 Regulation & Strategy Branch
 Office of the Australian Information Commissioner
 GPO Box 5218 Sydney NSW 2001 | oaic.gov.au



[Subscribe to Information Matters](#)

OAIC - Commissioner

From: s 22, Brenton
Sent: Thursday, 17 November 2022 7:44 PM
To: s 22, Angelene; OAIC - Commissioner
Cc: s 22, Annamie; s 22, Peter; OAIC - Executive Assistant
Subject: (For clearance) Check-up Plus Questionnaire [SEC=OFFICIAL]

Importance: High

Categories: Added to Calendar

Snapshot	
Due date	3pm Friday 18 November 2022
Fixed or flexible	Fixed
If fixed, why?	Check-up Plus Questionnaire closes COB Friday 18 November
Topic for clearance	Check-up Plus
Product (e.g. brief / submission)	Covering brief D2022/023716 Survey D2022/023715 PDF
Length / no. of pages	Covering brief: 3 PDF survey: 64 (noting this is multiple choice questionnaire)
External parties	National Archives of Australia
Clearance & consultation	DWER and Brenton s 22
Responsible director	Brenton s 22
Final clearance	Annamie s 22

Dear Commissioner

As flagged, the OAIC is required to complete the Check-up Plus Questionnaire by COB Friday 18 November – apologies for the tight turnaround. The questionnaire is for the reporting period of 1 January 2021 to 30 June 2022. A covering brief sets out the proposed content of the OAIC's 2022 Check-up survey including background information, the process used to complete the questionnaire, and a comparison to the prior period.

Annamie and I have reviewed each response to the Check-up Questionnaire in full and recommend that you provide your approval for me to submit the OAIC's response on your behalf.

I would be pleased to talk you through the brief and answer any questions about our proposed submission.

Below are the links:

- Covering brief [D2022/023716](#)
- Draft questionnaire survey [D2022/023715](#)

Regards,

Brenton



Brenton s 22 | Director, Corporate Services
Office of the Australian Information Commissioner
GPO Box 5288 Sydney NSW 2001 | [oaic.gov.au](https://www.oaic.gov.au)

s 22

 |  |  |  [Subscribe to OAI Cnet newsletter](#)

LIDBETTER,Samantha

From: OAIC - Corporate
Sent: Thursday, 17 November 2022 10:26 AM
To: OAIC Executive
Cc: s 22, Andrew; s 22, Amy
Subject: All-staff meeting memorandum - due EOD 21/11

Snapshot	
Due date	Monday 21 November EOD
Fixed or flexible	Fixed
If fixed, why?	Invitation due to be sent on Tuesday 22 November in advance of Tuesday 6 December meeting.
Topic for clearance	All-staff meeting agenda and invitation
Product (e.g. brief / submission)	Memorandum: D2022/025021
Length / no. of pages	5 pages
External parties	No
Clearance & consultation	Shannon s 22, Amy s 22, Andrew s 22
Responsible director	Andrew s 22
Final Clearance by	Andrew s 22

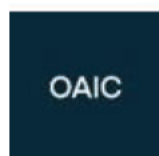
Good morning

The next all-staff meeting is planned for 1:30 pm to 2:30 pm AEDT on Tuesday 6 December 2022.

Please read this memorandum ([D2022/025021](#)) which provides background on the OAIC's all-staff meeting program and includes a suggested agenda and invitation for the next meeting.

Strategic Communications would like to send a calendar invitation to staff no later than Tuesday 22 November (2 weeks' notice). Please provide any feedback to the Strategic Communications team by EOD Monday 21 November 2022 to allow time to send this correspondence.

Kind regards
 Shannon



Shannon s 22 | Communications Adviser
 Strategic Communications
 Office of the Australian Information Commissioner
 GPO Box 5218 Sydney NSW 2001 | oaic.gov.au

s 22

f | in | t | [Subscribe to Information Matters](#)

OAIC - Commissioner

From: s 22, Andrew
Sent: Thursday, 17 November 2022 9:18 AM
To: s 22, Angelene
Cc: OAIC - Commissioner; OAIC - Executive Assistant
Subject: For clearance - LAWASIA speech [SEC=OFFICIAL]

Snapshot	
Due date	Friday 18 November 2022
Topic for clearance	LAWASIA speech
Product (e.g. brief / submission)	Speech D2022/023366
Length / no. of pages	14 pages
External party?	Yes, conference attendees
Clearance & consultation	Andrew s 22
Final Clearance by	Angelene s 22

Hello Commissioner

I spoke to the Secretary General of LawAsia and he suggested the following points, which I have woven in. I also read him the points that were in the draft so far, and he said it was 'spot on'. He described the audience as knowledgeable but with varying backgrounds.

The speech is at 20 minutes at the moment but I think there are key areas that can be cut.

Message from Secretary General:

I think a good message would be along the following lines:

- Not all countries in Asia and the Pacific have yet committed to data protection laws
- This underestimates the importance of privacy, and the right to control information about oneself, as a human right
- Modern technologies facilitate the exploitation of personal information for a variety of nefarious purposes
- People are more exposed than they need to be if they (a) have no choice but to hand over personal details in order to obtain various services, and (b) have no right to control the further use of that information for unrelated purposes
- As technology evolves, so too do the ways in which personal information can be misused – this is why privacy legislation must be constantly kept under review
- Australia is currently updating its data protection laws
- The recent Optus and Medibank data breaches highlight the risks of misuse of personal data, and have also served to heighten public appreciation in this country of the need for adequate privacy laws *[I think the audience would like to hear a reference to Optus and Medibank]*.

Kind regards

Andrew

OAIC - Commissioner

From: s 22, Penny
Sent: Wednesday, 16 November 2022 10:02 AM
To: OAIC - Commissioner
Cc: s 22, Melanie; s 22, Penny; s 22, Angelene
Subject: For Approval: OAIC Risk Management Policy and Framework, and Risk Profiles [SEC=OFFICIAL:Sensitive]

Categories: Added to Calendar

OFFICIAL: Sensitive

Dear Commissioner,

The *Public Governance, Performance and Accountability Act 2013* (PGPA Act) requires the OAIC to establish and maintain appropriate systems of risk oversight and management. Regular review and update of the underpinning risk policies and registers for the agency are essential to achieve this. A comprehensive review of the OAIC's Risk Management Framework and Risk Profiles has recently been undertaken to update and align these with the external risk environment and OAIC's risk posture.

Approval of the updated OAIC Risk Management Policy and Framework, and Risk Profiles, is required ahead of the Audit Committee Meeting on 6 December 2022.

Time is scheduled in your diary on Monday 21 November 2022 to discuss the Audit Committee papers (and by extension the Risk Profiles).

Further details are provided in the Executive Brief. Please find below Snapshot related to this request:

Snapshot	
Due date	Monday 21 November 2022
Fixed or flexible	Fixed
If fixed, why?	Approved/cleared documents required for inclusion in Audit Committee papers
Topic for clearance	OAIC Risk Management Policy and Framework and Risk Profiles
Product (e.g. brief / submission)	<ul style="list-style-type: none"> Executive Brief - D2022/024535 Attachment A – OAIC Risk Management Policy and Framework (November 2022) - D2022/024529 Attachment B – OAIC Domain Risk Profile – Information Access (November 2022) - D2022/024524 Attachment C – OAIC Domain Risk Profile – Privacy (November 2022) - D2022/024523 Attachment D – OAIC Enterprise Risk Profile (November 2022) – D2022/024533
Length / no. of pages	Executive Brief – 3 pages Attachment A – 33 pages Attachment B – 1 page Attachment C – 1 page Attachment D – 21 pages

External parties	No
Clearance & consultation	Melanie s 22 and Annamie s 22
Responsible director	Penny s 22
Final clearance	Angelene s 22

Thank you for your assistance.

Best regards,
Penny



Penny s 22 | Director, Governance & Risk
Office of the Australian Information Commissioner
GPO Box 5288 Sydney NSW 2001 | [oaic.gov.au](https://www.oaic.gov.au)

s 22



[Subscribe to OAICnet newsletter](#)

OFFICIAL: Sensitive

OAIC - Commissioner

From: s 22, Alexandra
Sent: Tuesday, 15 November 2022 4:43 PM
To: OAIC - Commissioner; OAIC - Deputy
Cc: s 22 Angelene; s 22, Elizabeth; s 22, Andre; s 22, Kate; s 22, Zoe; s 22, Linda; s 22, Alicia; s 22, Heath
Subject: For clearance by Wednesday 23 November 2022 - Consultation and proposed approach to CDR EDRs in the Telecommunications Sector [SEC=OFFICIAL:Sensitive]
Categories: Added to Calendar

OFFICIAL: Sensitive

Snapshot	
Due date	COB Wednesday 23 November 2022
Fixed or flexible	Fixed
If fixed, why?	Treasury has requested a response by Thursday 24 November 2022
Topic for clearance	Consultation and proposed approach to CDR EDRs in the Telecommunications Sector
Product (e.g. brief / submission)	Executive Brief: D2022/024293 Commissioner's proposed response: D2022/024522
Length / no. of pages	Executive brief: 4 pages (6 including attachments) Commissioner's proposed response: 2 pages
External parties	Yes – Treasury
Clearance & consultation	Alex s 22, Andre s 22
Responsible director	Alex s 22
Final Clearance by	Elizabeth s 22 and Angelene s 22

Dear Deputy and Commissioner,

Please find linked an Executive Brief [D2022/024293](#) and proposed response for the Commissioner to send [D2022/024522](#) in response to Treasury's consultation with the Commissioner on its proposed approach to CDR external dispute resolution scheme (EDR) arrangements in the telecommunications sector.

We are sending this to you together in the interest of time, as Treasury has requested the OAIC's response by next Thursday 24 November 2022. On this basis, we are seeking your clearance by next Wednesday 23 November 2022.

In summary:

- This consultation is required by s56DA(4) of the *Competition and Consumer Act 2010* (Cth)
- Treasury is proposing to recognise the Australian Financial Complaints Authority (AFCA) as the EDR for ADRs, and the Telecommunications Industry Ombudsman (TIO) as the EDR for telecommunications data holders and for ADRs that only use telecommunications data within the telecommunications sector
- Treasury's proposal is consistent with the approach taken to CDR EDR recognition to date, and we do not have any concerns with the proposal for the reasons set out in the Brief.

Please let Andre and I know if you have any questions, or would like to discuss.

Kind regards,
 Alex



Alexandra **s 22** | Director
Regulation and Strategy Branch
Office of the Australian Information Commissioner
GPO Box 5288 Sydney NSW 2001 | [oaic.gov.au](https://www.oaic.gov.au)

s 22

[f](#) | [in](#) | [t](#) | [Subscribe to Information Matters](#)

Please note I work Mondays, Tuesdays and Fridays

OFFICIAL: Sensitive

OAIC - Commissioner

From: s 22, Rebecca
Sent: Tuesday, 15 November 2022 11:58 AM
To: s 22 Angelene; OAIC - Commissioner
Cc: s 22, Elizabeth; s 22, Sarah; s 22, Naomi; s 22, Jason; s 22, Andrew;
 OAIC - Media; s 22, Emma; s 22, Brenton; OAIC - Executive Assistant
Subject: [FOR REVIEW] Briefing materials - Inquiry into Privacy Legislation Amendment
 (Enforcement and Other Measures) Bill 2022 [SEC=OFFICIAL]

Categories: Added to Calendar


Snapshot	
Due date	Thursday 17 November 2022
Topic for clearance	Inquiry on Privacy Legislation Amendment (Enforcement and Other Measures) Bill 2022
Product (e.g. brief / submission)	Brief D2022/023578
Length / no. of pages	66 pgs
External party?	Senate Legal and Constitutional Affairs Committee
Clearance & consultation	Sarah s 22, Andrew s 22
Final Clearance by	Angelene s 22


Good morning Angelene

For your review, we have prepared briefing materials for your appearance before the Senate Legal and Constitutional Affairs Committee's inquiry into the Privacy Legislation Amendment (Enforcement and Other Measures) Bill 2022.

There are a couple of issues that we're continuing to work through and will add further information to the brief as it becomes available. We'll ensure the brief is ready for printing by the end of the day.

Thanks
 Beck

 Rebecca s 22 | Director, Law Reform and Digital Platforms
 Regulation and Strategy Branch
 Office of the Australian Information Commissioner
 GPO Box 5218 Sydney NSW 2001 | oaic.gov.au

s 22
    [Subscribe to Information Matters](#)

OAIC - Commissioner

From: s 22, Chad
Sent: Tuesday, 15 November 2022 10:37 AM
To: OAIC - Commissioner; s 22, Angelene
Cc: s 22, Elizabeth; s 22, Andre; s 22, Zoe; s 22, Linda; s 22, Alicia; s 22, Chad
Subject: For clearance: proposed amendments to October CDR Board meeting minutes [SEC=OFFICIAL]
Attachments: OAIC comments - 1.4 Minutes October 2022 - draft.docx

Good morning Commissioner

Further to the below, please find our proposed amendments to the minutes of the 11 October 2022 Board meeting attached.

These proposed amendments are based on Andre's notes for the meeting ([D2022/021524](#)).

Snapshot	
Due date	To support the Board meeting on 15 November 2022
Fixed or flexible	Fixed
If fixed, why?	The Board meeting is scheduled for 15 November 2022
Topic for clearance	Minutes for
Product (e.g. brief / submission)	Amended minutes
Length / no. of pages	6 pages
External parties	Yes – CDR Board
Clearance & consultation	Consultation with CDR directors
Responsible director	Linda s 22
Final Clearance by	Angelene s 22

Kind regards

Chad

From: s 22, Alicia s 22
Sent: Friday, 11 November 2022 5:11 PM
To: OAIC - Commissioner; s 22, Angelene s 22
Cc: s 22, Elizabeth s 22, Andre s 22, s 22, Zoe s 22, Linda s 22, Alexandra s 22, s 22, Chad s 22, Sophia s 22, s 22, Heath s 22
Subject: CDR Board brief - 15 November [SEC=OFFICIAL]

Good afternoon Commissioner

Please find linked the briefing for next Tuesday's CDR Board meeting: [D2022/023785](#). I have attached the papers for the meeting (also linked within the brief). The matters for consideration (at items 2.1 – 2.4) are the key areas for discussion by Board members at the November meeting.

Sam has scheduled time in your calendar at 4:30pm on Monday for a verbal briefing on these papers.

There may be some minor amendments to update the meeting brief on Monday morning. Any changes will be marked in track within the document.

Snapshot	
Due date	To support the Board meeting on 15 November 2022
Fixed or flexible	Fixed
If fixed, why?	The Board meeting is scheduled for 15 November 2022
Topic for clearance	Briefing – CDR Board meeting 15 November
Product (e.g. brief / submission)	Briefing - D2022/023785
Length / no. of pages	20
External parties	Yes – CDR Board
Clearance & consultation	Consultation with CDR directors
Responsible director	Linda s 22
Final Clearance by	Angelene s 22

Kind Regards



Alicia s 22 | Director
 Regulation & Strategy Branch
 Office of the Australian Information Commissioner
 GPO Box 5288 Sydney NSW 2001 | oaic.gov.au

s 22



[Subscribe to Information Matters](#)

OAIC - Commissioner

From: s 22, Claire
Sent: Monday, 14 November 2022 2:29 PM
To: OAIC - Commissioner; s 22, Angelene
Cc: s 22, Adriana; s 22, Diana; s 22, Sarah; s 22, Elizabeth
Subject: [For clearance by Friday, 18 November (flexible)] Draft letter to Communications Alliance - obligations of telcos under the Privacy Act [SEC=OFFICIAL]
Attachments: Draft letter to telecommunication industry bodies - Privacy Act obligations - 13 October 2022.DOCX; For info - letter sent to telco sector today [SEC=OFFICIAL]
Categories: Added to Calendar

Snapshot	
Due date	Friday, 18 November (flexible)
Topic for clearance	Draft letter to Communications Alliance: obligations of telcos under the Privacy Act
Product (e.g. brief / submission)	Letter (D2022/021760 and attached)
Length / no. of pages	3
External party?	Communications Alliance
Clearance & consultation	Adriana s 22, Diana s 22, David s 22, Sarah s 22, Elizabeth s 22
Final Clearance by	Commissioner

Dear Commissioner,

Please find a draft letter to Communications Alliance (Comms Alliance) regarding the privacy obligations of telecommunications service providers, attached and at [D2022/021760](#), for your review and signing.

Background

Following the Optus data breach, you requested a letter be prepared to remind telcos of their obligations under the *Privacy Act 1988* (Cth), acknowledging the heightened risk environment and referring them to appropriate resources on our website. You also sought our views as to whether we should seek a response from the telcos advising us that they have taken appropriate steps to ensure the security of the personal information they hold, and the necessity of collection and retention.

The ACMA advised us that they sent a similar letter to 588 telcos (email attached). Given the large number of companies and the fact that some of these may fall under the small business exception in the Privacy Act, there was some uncertainty about who to send the letter to. In consultation with Libby, we reached the conclusion that the best way for the OAIC to remind telcos of their obligations under the Privacy Act is by sending a letter to the key industry body (or bodies) in the telecommunications sector. We recommend the letter be sent to Comms Alliance – as the primary industry body for the sector, they will be best placed to pass our message on to the majority of businesses.

Next steps

Following your signing of the letter, we will send it to Communications Alliance.

Please let us know if you have any questions or would like to discuss.

Kind regards,
 Claire and Adriana



Claire **s 22** | Policy Adviser
Regulation and Strategy
Office of the Australian Information Commissioner
GPO Box 5288 Sydney NSW 2001 | [oaic.gov.au](https://www.oaic.gov.au)

s 22

f | in | t | [Subscribe to OAICnet newsletter](#)

s 22, Samantha

From: OAIC - Legal
Sent: Monday, 14 November 2022 1:35 PM
To: **s 22**, Andrew; **s 22** Heath; **s 22**, Suseela; **s 22**, Amy; **s 22**, Sophia;
s 22, Zoe; **s 22**, Linda; **s 22**, Kate; **s 22**, Nicola; **s 22**, Louise;
s 22, Lisa; **s 22**, Emi; **s 22**, Diana; **s 22**, Rebecca; **s 22** Sarah;
s 22, Andre; **s 22**, David
Cc: **s 22** Angelene; OAIC - FOI Commissioner; **s 22**, Elizabeth; **s 22**, Rocelle;
s 22, Annamie; **s 22**, Romina; OAIC - FOI DR; **s 22**, Emma
Subject: FOIREQ22/00356 – Comments required on documents
Attachments: FOIREQ2200356 Documents.zip

Our reference: FOIREQ22/00356

Dear colleagues

I am writing about an FOI request we received from Julie via Right to Know on 30 October 2022.

The decision is due on 29 November 2022.

The FOI request seeks access to:

This is a separate FOI for copy of the 10 emails and attachments used as a scoping bundle in FOIREQ22/00253 described as being a total of 290 pages.

Personal details of third party private individuals and private businesses are out of scope.

For any practical refusal consultation I do not vary or withdraw my foi.

Background

This request has arisen out of a previous FOI request (FOIREQ22/00253) in which the FOI applicant sought access to the 100 most recent internal emails sent to Commissioner **s 22** and Commissioner **s 22** which contained the word 'snapshot.' Due to the size and complexity of the documents a notice under s 24AB of the FOI Act was issued.

The FOI applicant did not respond to this and accordingly the request was taken to be withdrawn, which was why we did not need to consult with you previously regarding these documents.

The FOI applicant has now requested the above documents which relate to a number of different areas and matters. Before we proceed with conducting courtesy consultation with other agencies and making a decision on the documents, it would be much appreciated if you could please review the documents and comment on any sensitivities contained within.

Action required

We ask that you complete the following tasks by **COB Monday 21 November 2022**:

1. Review the attached bundle and schedule of documents. We have noted in the last column of the schedule the particular documents we require your comments in relation to.
2. Provide feedback in relation to any sensitive information contained within the documents (for example information received in confidence, information that would affect OAIC operations, third party information).
3. Advise whether the relevant documents relate to matters that are currently open with the OAIC.

If you consider that another line area, or a staff member may be able to assist in providing comments, please kindly forward this email to that line area or staff member to action.

To ensure that the OAIC meets its statutory timeframe in processing FOI requests and to allow the legal team sufficient time in processing the request including preparing courtesy and third party consultations if necessary, preparing and redacting documents, drafting of decision and allowing sufficient time for the final clearance of the decision, documents and schedule, please kindly be advised that if no response is received, Legal will assume that you have reviewed the relevant documents and have no comments.

Thanks (in advance) for your help. If you have any questions about processing an FOI request, or this particular matter, please let me know.

Kind regards

Molly



Molly **s 22** | Lawyer
Legal Services
Office of the Australian Information Commissioner
GPO Box 5218 Sydney NSW 2001 | [oaic.gov.au](https://www.oaic.gov.au)

s 22

f | in | t | [Subscribe to Information Matters](#)

OAIC - Commissioner

From: s 22, Justin
Sent: Friday, 11 November 2022 6:04 PM
To: s 22 Angelene
Cc: s 22, Leo; s 22, Rocelle; OAIC - Commissioner; s 22, Samantha
Subject: [Australian Information Commissioner approval] IC review decision - s 22 and Department of Home Affairs s 22 [SEC=OFFICIAL]


Dear Angelene,

I refer to Rocelle's email below about 2018 IC review decisions proceeding to you for clearance.

Please see below for your approval a snapshot for the draft decision in s 22 and Department of Home Affairs - s 22

The decision was prepared by Natalie s 22. The relevant documents are saved electronically on Resolve for OAIC reference number s 22.

Regards

 Justin s 22 | Director
 FOI Regulatory Group
 Office of the Australian Information Commissioner
 GPO Box 5218 Sydney NSW 2001 | oaic.gov.au
 s 22

Snapshot	
Due date	[standard 2 weeks]
Fixed or flexible	Flexible
If fixed, why?	N/A
Topic for clearance	s 22 and Department of Home Affairs
Product	Draft IC Review decision
Scope	<ul style="list-style-type: none"> - On 13 June 2018, the applicant made an FOI request for: s 22 - On 19 June 2018, the Department refused the applicant's request under s 47F. - On 18 July 2018, the applicant sought internal review. - On 9 August 2018, the Department notified the applicant of its IR decision. The Department refused the applicant's request under ss 45 and 47F.
Documents containing material received in confidence (s 45)	

Length / no. of pages*	<p>Draft decision – 9 pages.</p> <p>Key documents on Resolve record [reference no s 22]</p> <p>*Tab 0. Cover sheet</p> <p>*Tab 1. Draft decision</p> <p>*Tab 2. FOI request</p> <p>*Tab 3. FOI decision</p> <p>*Tab 4. IR request</p> <p>*Tab 5. IR decision</p> <p>*Tab 6. IC review application</p> <p>*Tab 7. 54Z response</p> <p>*Tab 8. A's further submissions</p> <p>*Tab 9. Documents at issue</p>
Third parties	Yes, but not consulted by agency.
Issues for Commissioner	The issue to be decided in this IC review is whether the s 45 applies to the documents.
Other considerations	N/A
Review officer	Natalie s 22
Clearance	<p>Justin s 22, Director</p> <p>Rocelle s 22, Assistant Commissioner</p> <p>Angelene s 22, Australian Information Commissioner</p>
Final clearance	Australian Information Commissioner

From: s 22, Rocelle s 22
 Sent: Thursday, 29 September 2022 5:44 PM
 To: s 22, Angelene s 22
 Cc: s 22, Leo s 22, Justin s 22, Suseela s 22
 s 22 OAIC - Commissioner <commissioner@oaic.gov.au>; s 22, Samantha s 22
 Subject: IC review decisions proceeding to Information Commissioner [SEC=OFFICIAL]

Good afternoon Angelene

Following discussions with Leo, there are 5 x 2018 IC review draft decisions that will proceed to you for clearance over the coming weeks:

Case Number	Title	Received Date	Assigned To	Issues	Notes	Estimated date to IC
s 22	s 22 and Defence	October 22, 2018	s 22 Jessica	Access grant - workplace complaint - s.47F	Undergoing Assistant Commissioner clearance	Mid-End October 2022
s 22	s 22	September 20, 2018	s 22 Natalie	Access refused; ss 45/47F	Undergoing Assistant Commissioner clearance	Mid-End October 2022
s 22	s 22	October 25, 2018	s 22 Carl	Access refused; ss 47F, 47E, 47C and s 22	Undergoing Assistant Commissioner clearance	Mid-End October 2022
s 22	s 22	May 25, 2018	s 22 Justin	Access refused; ss 24A, 47E(d), 37(1)(b), 37(2)(b), 42, 47F	Previously drafted for and reviewed by Acting FOI Commissioner; team to review for any updates required	7 October 2022
s 22	s 22	February 13, 2018	s 22 Justin	Access refused; ss 11A(5), 22, 24A, 47F and 47E(d)	Previously drafted for and reviewed by Acting FOI Commissioner; team to review	14 October 2022

We have identified a further 5 matters that can progress to you – we will advise you of these matters and the relevant timeframes once the decisions have been substantially progressed/drafted.

Kind regards

Rocelle



Rocelle **s 22** | Assistant Commissioner
Freedom of information
Office of the Australian Information Commissioner
GPO Box 5218 Sydney NSW 2001 | [oaic.gov.au](https://www.oaic.gov.au)

s 22



[Subscribe to Information Matters](#)

s 22, Samantha

From: **s 22**, Nicola
Sent: Thursday, 10 November 2022 5:27 PM
To: **s 22**, Angelene
Cc: **s 22**, Elizabeth; **s 22**, Andre; **s 22**, Linda; **s 22**, Zoe; **s 22**, Alicia; **s 22**, Elaine; **s 22**, Ferdous; **s 22**, Chad
Subject: FOR REVIEW and APPROVAL - OAIC prioritisation of Statutory Review recommendations [SEC=OFFICIAL]
Attachments: Brief to Executive - OAIC Statutory Review Recommendations.DOCX; 221021 - CDR Out of session cover paper - Statutory Review Response.PDF; Attachment A - Statutory Review Recommendations and Findings status update with priorities and themes.PDF; Attachment B - Statutory Review - Priorities diagram.PDF
Follow Up Flag: Follow up
Flag Status: Completed

Snapshot	
Due date	14 November
Fixed or flexible	Fixed
If fixed, why?	Feedback due to Treasury on 14 November
Topic for clearance	OAIC prioritisation of Statutory Review recommendations
Product (e.g. brief / submission)	Executive brief and draft response to Treasury
Length / no. of pages	Brief (9pgs), Board paper & Attachments (8pgs)
External party?	Response to Treasury
Clearance & consultation	Andre s 22 Elizabeth s 22
Responsible director	Linda s 22
Final Clearance by	Commissioner

Dear Commissioner,

We have prepared for your review and feedback an executive brief and draft response to Treasury on an out of session CDR board paper. The paper relates to prioritisation of recommendations arising out of the CDR Statutory Review. The paper, together with two attachments, was circulated to board members for noting and feedback on 24 October. Treasury has requested a response by **14 November**.

Attachment A to the brief sets out the OAIC's proposed prioritisation of the Statutory Review recommendations, rating the recommendations as critical, important or desirable. Our proposed prioritisation draws on areas of privacy and security risk the OAIC has identified in the CDR, internal feedback from CDR teams and comments the OAIC has made in public submissions and to the CDR Board. **Attachment B** contains a cover email to Treasury in response to the out of session paper, which is to be accompanied by a copy of the prioritisation table at **Attachment A**.

s 47E(d)

The out of session paper and attachments are at Agenda item 2.4 of the Board papers for discussion at the Board meeting on 15 November 2022.

A copy of the brief, out of session board paper and attachments are attached and available at the following links:

- Brief and draft response [D2022/022932](#)
- Update on the response to the Statutory Review of the Consumer Data Right [D2022/022927](#)

- Attachment A – Statutory Review Recommendations and Findings update with priorities and themes [D2022/022929](#)
- Attachment B – Statutory Review priorities diagram [D2022/022928](#).

Please let us know if you require any further information.

Kind regards
Nicola



Nicola **s 22** | Assistant Director
Regulation and Strategy
Office of the Australian Information Commissioner
GPO Box 5218 Sydney NSW 2001 | [oaic.gov.au](https://www.oaic.gov.au)

s 22



[Subscribe to Information Matters](#)

OAIC - Commissioner

From: s 22, Lucy
Sent: Thursday, 10 November 2022 4:44 PM
To: OAIC - Commissioner; s 22, Angelene; s 22, Elizabeth
Cc: s 22, Iris; s 22, Fiona; OAIC - International; s 22, Sarah
Subject: [For clearance by COB 14 November] Jurisdiction Reports and Attendee Profiles for APPA 58 [SEC=OFFICIAL]
Attachments: 1. APPA 58 Jurisdiction report.DOCX; 4. NDB Report APPA 58.DOCX; 2. APPA 58 Attendee Profiles.DOCX; APPA 58 Forum - Welcome Dinner on Day One; APPA 58 Side Event - Future of Privacy Forum ; RE: [For clearance by 19 October]: APPA 58 dates, attendance, participation in panels and side events, and jurisdiction report topics [SEC=OFFICIAL]

Snapshot	
Due date	Monday 14 November
Fixed or flexible	Flexible, but preferable to provide back to APPA by COB Monday, or as soon as we are able, given we have already been granted an extension
If fixed, why?	
Topic for clearance	OAIC's Reports for APPA 58
Product (e.g. brief / submission)	1. Jurisdiction report: D2022/022680 2. Data Breach Notification report: D2022/022213 3. Attendee Profiles: D2022/022214
Length / no. of pages	1. Jurisdiction report: 6 pages 2. Data Breach Notification report: 3 pages 3. Attendee profiles: 4 pages
External parties	APPA 58 Secretariat and conference attendees
Clearance & consultation	Sarah s 22, David s 22, Fiona s 22, Lisa s 22, Clare s 22, Iris s 22, Catherine s 22
Responsible director	Fiona s 22
Final Clearance by	Commissioner and Deputy

s 22, Samantha

From: s 22, Mark
Sent: Wednesday, 9 November 2022 4:55 PM
To: s 22, Angelene; s 22, Elizabeth
Subject: [For approval] OAIC SES remuneration increases 2022 [SEC=UNOFFICIAL]
Importance: High

Dear Commissioner and Deputy Commissioner

Snapshot	
Due date	ASAP
Fixed or flexible	Fixed
If fixed, why?	By 15 November to allow for SES determinations to be redrafted and approved by 17 November
Topic for clearance	In-principle Approval
Product (e.g. brief / submission)	Executive brief
Link to EB	D2022/023718
External party?	N/a
Clearance & consultation	Melanie s 22, Annamie s 22
Responsible Director	Mark s 22
Final Clearance by	Melanie s 22, Annamie s 22

The purpose of this brief is to advise on the discretion the Commissioner has, to increase the remuneration of Senior Executive Service employees (except for the Commissioner and FOI Commissioner) by 3%, following the release of the Government's *Public Sector Interim Workplace Arrangements 2022*.

There are two key recommendations for consideration:


1. That the Commissioner approve a 3% increase to base salaries for all OAIC SES employees (except for the Commissioner and FOI Commissioner who are Statutory Office Holders and fall under the Remuneration Tribunal's determination), and
2. That the Director, People and Culture prepare redrafted SES determinations for the Commissioner's approval, to take effect on 17 November 2022.

I have attached the link to the paper in the snapshot which has been cleared by Mel and Annamie.

I am happy to address any questions you may have.

For your consideration.

Kind regards
Mark

 Mark s 22 | Director, People & Culture
 Office of the Australian Information Commissioner
 GPO Box 5218 Sydney NSW 2001 | oaic.gov.au

 |
  |
  |
  [Subscribe to Information Matters](#)

OAIC - Commissioner

From: s 22, Claire
Sent: Wednesday, 9 November 2022 10:06 AM
To: OAIC - Commissioner; s 22, Angelene
Cc: s 22, Adriana; s 22, Diana; s 22, Sarah
Subject: Meeting brief: Meeting with AEC and ACMA, Thursday 10 November [SEC=OFFICIAL]
Attachments: Meeting brief - Commissioner meeting with AEC and ACMA - 10 November 2022.DOCX

Snapshot	
Due date	Thursday, 10 November
Topic for clearance	Meeting with AEC and ACMA on Thursday, 10 November
Product (e.g. brief / submission)	Meeting brief (D2022/023727)
Length / no. of pages	17 pages
External party?	AEC and ACMA
Clearance & consultation	Adriana s 22, Sarah s 22
Final Clearance by	Commissioner

Dear Commissioner,

Please find a meeting brief for tomorrow's meeting with the AEC and ACMA attached and at [D2022/023727](#).

The brief includes:

- Previous briefs for your two most recent meetings with the AEC, as attachments;
- Updates about the 2022 Federal Election inquiry, including the AEC and ACMA submissions and evidence to the inquiry;
- An overview of some recent developments in relation to the Voice to Parliament referendum; and
- A summary of the AEC's appearance at Senate Estimates yesterday, 8 November.

Please let us know if you have questions or require anything further.

Kind regards,
 Claire and Adriana



Claire s 22 | Policy Adviser
 Regulation and Strategy
 Office of the Australian Information Commissioner
 GPO Box 5288 Sydney NSW 2001 | oaic.gov.au

s 22

f | in | t | [Subscribe to OAICnet newsletter](#)

OAIC - Commissioner

From: s 22, David
Sent: Tuesday, 8 November 2022 12:45 PM
To: OAIC - Commissioner: FALK, Angelene
Cc: s 22, Elizabeth; s 22, Samantha; s 22, Kelly; s 22, Andre
Subject: FW: [For Clearance] Digital Identity assessment 1 – ID exchange – Services Australia
 - Draft report [SEC=OFFICIAL]

Categories: Added to Calendar

Snapshot	
Due date	22 November
Fixed or flexible	Flexible however hoping to publish before the end of the year.
If fixed, why?	
Topic for clearance	Digital Identity Assessment 1 – ID Exchange
Product (e.g. brief / submission)	Digital Identity Assessment 1 report D2022/007147
Length / no. of pages	14 + appendices
External party?	Services Australia
Clearance & consultation	Elizabeth s 22 Andre s 22 David s 22
Responsible director	David s 22
Final Clearance by	Angelene s 22

Hi Angelene,

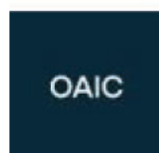
Please find attached for your clearance the draft report [D2022/007147](#) for Digital Identity assessment 1 – ID exchange – Services Australia. This draft has been reviewed and cleared by Andre and Libby.

This assessment commenced in February and is a risk-based assessment of Services Australia's handling of personal information in relation to the Digital Identity System. It seeks to establish whether Services Australia has taken reasonable steps under APP 1.2 in relation to its role as the operator of the Identity Exchange and, to our knowledge, is the first privacy assessment relating to the digital identity system.

Please let me know if you have any questions or require further information.

Kind regards

David



David s 22 | Director (A/g)
 Regulation and Strategy
 Office of the Australian Information Commissioner
 GPO Box 5218 Sydney NSW 2001 | [oaic.gov.au](#)
 s 22

s 22, Samantha

From: **s 22**, Molly
Sent: Tuesday, 8 November 2022 11:35 AM
To: **s 22**, Leo; **s 22**, Angelene
Cc: OAIC - Executive Assistant
Subject: FOIREQ22/00357 – FOI Search and Retrieval Request - Response required by COB Wednesday 15 Nov 2022 [SEC=OFFICIAL]
Attachments: FOIREQ2200357 schedule_documents.rtf; FOIREQ2200357 Document Search Minute.docx

OAIC ref: FOIREQ22/00357

Dear Commissioners

I am writing about an FOI request we received on 30 October from Verity **s 22** via Right to Know.

The purpose of this email is to request that you undertake search and retrieval (S&R) for documents falling within scope of this FOI request.

The FOI request seeks access to:

...copy of all internal emails sent to any Commissioner (including acting) that include "snapshot" (in any case - upper, lower, title) in the body of the email.

Personal details of third party private individuals and private businesses are out of scope.

Only the 100 most recent emails are in scope.

We have subsequently contacted the FOI applicant and advised that we have interpreted the scope to be emails sent to Angelene and Leo only, to which the applicant did not object.

We note that this request is identical to that of FOIREQ22/00253. The FOI Applicant did not respond to a s24AB formal consultation letter in the consultation period and the request was subsequently withdrawn. This is a resubmission of that request.

As there is likely to be some overlap between the emails you have previously provided us and those within the time period covered by this request, we ask that you only locate and provide to us emails within scope received between the date of the first request (27 August 2022) and the date of this request (30 October 2022).

Action required

We ask that you complete the following tasks by **COB Wednesday 15 November 2022**.

- Search for relevant documents (including in Resolve, Outlook, in your cabinets and any other place you may have documents)
- Request each staff member assisting with the search to complete the attached Document Search Minute Template
- Save any emails you consider relevant, along with all attachments to those emails, and attachments to any attachments (as PDF if possible) – if you are unsure whether the document is relevant include the document and we can consider its relevancy at a later stage
- Complete the attached schedule of documents

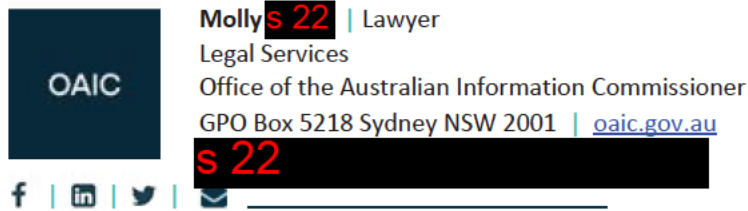
- Provide feedback in relation to any sensitive information contained within the documents (for example information received in confidence, information that would affect OAIC operations, third party information). This information can be noted in column 6 of the schedule of documents in red.
- Advise whether the relevant documents relate to matters that are currently open with the OAIC

When I receive the documents and your feedback I will consider my FOI decision. I will give you an opportunity to comment on my proposed FOI decision.

Thanks (in advance) for your help. If you have any questions about processing an FOI request, or this particular matter, please let me know.

Kind regards

Molly



OAIC - Commissioner

From: s 22, Fiona
Sent: Tuesday, 8 November 2022 10:25 AM
To: OAIC - Commissioner: s 22, Angelene
Cc: s 22, Elizabeth; s 22, Sarah; s 22, Renee
Subject: [For clearance please] - letters to AG and Treasurer - 2021 independent review of the Credit Reporting Code - Part IIIA issues and issues relating to MCCR

Categories: Added to Calendar

Snapshot	
Due date	16 November 2022
Fixed or flexible	Flexible, but noting that we committed in our roadmap for implementing the report to writing to relevant Ministers in Q4 of 2022
If fixed, why?	
Topic for clearance	Letters to Attorney-General and Treasurer following 2021 independent review of the <i>Privacy (Credit Reporting) Code 2014</i>
Product (e.g. brief / submission)	<ul style="list-style-type: none"> Letter to Attorney-General: D2022/020590 Letter to Treasurer: D2022/020617
Length / no. of pages	Both letters are 2 pages (Attachment B is also 2 pages)
External parties	Attorney-General Treasurer
Clearance & consultation	Elizabeth s 22, Deputy Commissioner Sarah s 22, A/g Assistant Commissioner R&S
Responsible director	Fiona s 22, A/g Director R&S
Final Clearance by	Commissioner

Hi Commissioner,

In our [2021 independent review of the Privacy \(Credit Reporting\) Code 2014 report](#) (report), we proposed to write to the Attorney-General and other relevant Ministers to bring to their attention issues outside the scope of the review of the CR Code. These include issues with Part IIIA of the Privacy Act and the Mandatory Comprehensive Credit Reporting (MCCR) regime. As you may recall, a review report on Part IIIA and the MCCR (under the [NCCPA](#)) are due to both Ministers before 1 October 2024 (see s 25B of the [Privacy Act](#)). These letters will assist in preparations for those reviews.

We outlined in our [roadmap](#) for implementing the report, that we would write to the relevant Ministers in Q4 of 2022.

For clearance please

Please see draft letters below, for your review and clearance. Libby and Sarah have both cleared these:

- Letter to Attorney-General: [D2022/020590](#)
 - Attachment A (the report): [D2022/020591](#)
 - Attachment B (additional Part IIIA issues not included in the report): [D2022/020592](#)
- Letter to Treasurer: [D2022/020617](#)
 - Attachment A (the report): [D2022/020591](#)

More than happy to discuss. My thanks to Renee in my team for her assistance with these letters and to Libby and Sarah for their input.

Thanks,
Fiona



Fiona **s 22** (she/her) | Acting Director, Systems and Security
Regulation and Strategy Branch
Office of the Australian Information Commissioner
GPO Box 5218 Sydney NSW 2001 | [oaic.gov.au](https://www.oaic.gov.au)

s 22

f | in | t | [Subscribe to Information Matters](#)

OAIC - Commissioner

From: s 22, Joseph
Sent: Monday, 7 November 2022 4:27 PM
To: OAIC - Commissioner
Cc: s 22, Angelene; s 22, Heath; s 22, Andre
Subject: For clearance: CDR Assessment 3 draft reports [SEC=OFFICIAL]

Snapshot	
Due date	15 November 2022
Fixed or flexible	Flexible
If fixed, why?	We have told partner agencies we are aiming to finalise by end December. As part of this we need to give targets 3 weeks to respond
Topic for clearance	CDR assessment of accredited persons' compliance with Privacy Safeguard 1
Product (e.g. brief / submission)	Draft privacy assessment report
Length / no. of pages	8 documents of varying length (2 to 5 pages)
External party?	7 CDR data holders
Clearance & consultation	Deputy Commissioner A/g Assistant Commissioner, R&S Heath s 22 Joseph s 22
Responsible director	Heath s 22
Final Clearance by	Commissioner

Dear Commissioner,

Please see, for your clearance, the draft documents for the third CDR assessment. These documents have been cleared by Heath, Andre and Libby.

This assessment examines 7 data holders compliance with their obligations under Privacy Safeguard 1 and CDR rule 7.2.

The draft documents are:

- Report cover letter template [D2022/016490](#)

s 47E(d)

Should you wish to closely review any particular reports, I suggest reviewing s 47E(d) s 47E(d). Between the two of them, they cover almost every provision for which we have made a finding and will give you a good sense of the overall findings.

Not for clearance at this point, but useful for an overview of overall performance is the draft PowerPoint [D2022/022738](#). This shows the provisions for which we have findings, and to which AP the findings relate.

Next steps

Once cleared, we will send to the targets and give them 3 weeks to respond to any factual inaccuracies. We will then finalise the reports.

We will also draft the report summarising the findings of this assessment.

Please let me know if you have any questions or wish to discuss.

Regards,
Joseph



Joseph **s 22** | Assistant Director
Regulation & Strategy Branch
Office of the Australian Information Commissioner
GPO Box 5218 Sydney NSW 2001 | oaic.gov.au

s 22



[Subscribe to Information Matters](#)

Part-time: Monday, Tuesday and Thursday.


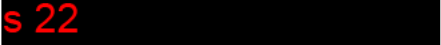

From: s 22, Amy
To: OAIC Executive
Cc: s 22, Andrew s 22, Shannon; s 22, Michelle
Subject: FW: 2023 PAW Theme Voting Results [SEC=OFFICIAL]
Date: Friday, 4 November 2022 4:08:57 PM
Attachments: [image001.jpg](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Good afternoon

We have a Privacy Awareness Week theme for 2023 as voted by APPA: **'Back to Basics – Privacy Foundations'**.

We will be preparing a planning snapshot Executive brief and procurement paperwork in the coming weeks.

Amy


Amy s 22 | Assistant Director
 Strategic Communications
 Office of the Australian Information Commissioner
 GPO Box 5218 Sydney NSW 2001 | oaic.gov.au

 [Subscribe to Information Matters](#)

From: s 22

Sent: Friday, 4 November 2022 2:06 PM

To: s 22

OAIC - Corporate s 22

s 22, Andrew s 22

,Amy s 22

Cc: s 22

Subject: 2023 PAW Theme Voting Results

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear APPA CWG colleagues,

Greetings from Macao! Here's where we are on voting for Privacy Awareness Week (PAW) 2023 theme. In view of the latest feedback, the theme which gets the most support is : "Back to Basics – Privacy Foundations" (From : Office of the Victorian Information Commissioner, Victoria)

If there are no strong objections, the theme for next year will be "Back to Basics – Privacy Foundations" and it is deemed to believe that it is a workable theme that will resonate with all APPA jurisdictions.

Once again, thank you very much for all your responses and supports.

Best Wishes,

s 22

Senior Officer
Office for Personal Data Protection, Macao SAR, China

寄件者: s 22

寄件日期: 2022年10月20日 9:51

收件者: s 22

s 22

副本: s 22

主旨: Voting for PAW Theme 2023 and call for submission of members' publication survey for APPA 58

Dear APPA CWG colleagues,

Thank you for all the contribution and support. Here we've listed below the suggested themes for voting.

Please vote your 3 preferences out of the 13 proposed themes in the table by indicating the first three priorities (e.g. 1, 2, 3) at the appropriate Preference boxes.

Preference 1 gains 5 credits while the second and the third get 3 and 1 respectively, the theme gets the most support would be chosen as the APPA PAW theme for 2023.

No.	Theme	Preference
1.	Digital Privacy: Take charge (OAIC, Australia)	
2.	Privacy in the digital era: Be proactive (OAIC, Australia)	
3.	Back to Basics (OAIC, Australia)	
4.	Privacy in digital era: data governance (PCPD, Hong Kong)	
5.	Privacy in digital era: data security (PCPD, Hong Kong)	
6.	Data Governance and Vigilance (PCPD, Hong Kong)	
7.	Privacy in the Digital Era: All about Trust (OPDP, Macao)	
8.	Privacy Protection: A Matter for All (OPDP, Macao)	
9.	Bridging Privacy and Technology with Trust (OPDP, Macao)	
10.	Privacy Protection: Everyone's Concern (NPC, Philippines)	
11.	Privacy: Compliance and Trust-building (NPC, Philippines)	
12.	Back to Basics - Privacy Foundations (OVIC, Australia)	
13.	Privacy for Everyone (OVIC, Australia)	

Please let us know your preferences by return email on or before **26th October 2022**. The theme with most support will be the 2023 PAW theme and the final result of the voting would be announced in due course.

Besides, the 58th APPA Forum is calling for papers and we kindly ask for your submissions of the latest education resources of your authority. Please fill in the attached template by **26th October 2022** for consolidation in the final Communications Working Group Report, so that the education resources produced by each member could be shared and referenced.

Thank you in advance and all the best. We look forward to having your response and support.

Thanks & Regards,

s 22

Senior Officer

Office for Personal Data Protection, Macao SAR, China

寄件者: **s 22**

寄件日期: 2022年9月30日 16:02

收件者: **s 22**

S 22

副本: S 22

主旨: Call for 2023 PAW Theme Suggestions

Dear CWG Colleagues,

Hope this email finds you all well.

For having more time on planning the PAW 2023 activities, it's time for us to get started the theme voting. While our office has come up with the following themes, we ask for your suggestions to get the voting list widen. please feel free to send through your suggestions for the PAW theme 2023 by **14th October (Friday)**.

By including your suggestions, we would move forward to the voting among CWG members in the middle of October, and as usual, the final result of our voting would be announced to all of you in due course.

For your kind perusal, please refer to the **4 proposed PAW themes for 2023** below:

- ◆ Privacy in digital era: all about Trust
- ◆ Privacy Protection: A Matter for All
- ◆ Bridge Privacy and Technology with Trust
- ◆ Privacy : Governance and Vigilance/Compliance

Best regards,

S 22

Senior Officer

Office for Personal Data Protection, Macao SAR, China

OAIC - Commissioner

From: s 22, David
Sent: Friday, 4 November 2022 3:04 PM
To: s 22, Angelene; OAIC - Commissioner; s 22, Elizabeth
Cc: s 22, Andre; s 22, Lauren; s 22, Samantha
Subject: FW: COVIDSafe Assessment 5 Report [SEC=OFFICIAL]

Snapshot	
Due date	7 Monday/8 Tuesday November 2022
Fixed or flexible	Fixed
If fixed, why?	If we want to finalise before COVIDSafe report, we will need to provide to Health ASAP for consultation.
Topic for clearance	COVIDSafe Assessment 5
Product (e.g. brief / submission)	Assessment Report
Length / no. of pages	10 pages + attachments (D2022/020762)
External party?	D. Health
Clearance & consultation	Lauren s 22, David s 22, Andre s 22, Elizabeth s 22
Responsible director	David s 22
Final Clearance by	Angelene s 22

Hi Angelene (s 22, Elizabeth – we have addressed your comments in the report).

Please find the COVIDSafe 5 report for your clearance ([D2022/020762](#)) which has been cleared by Andre and Libby.


Timing

As discussed yesterday, if we want to state in the next COVIDSafe report that this assessment has been finalised, we will need to provide it to Health for consultation as soon as we can, ideally by **Monday**. Tuesday may also work. They have indicated to me that this should be sufficient, pending their own clearance timeframes.

Please let me know if you would like to discuss.

Kind regards

David

 **David s 22** | Director (A/g)
 Regulation and Strategy
 Office of the Australian Information Commissioner
 GPO Box 5218 Sydney NSW 2001 | oaic.gov.au
s 22

f | in | tw |  [Subscribe to Information Matters](#)

OAIC - Commissioner

From: s 22, Rebecca
Sent: Friday, 4 November 2022 10:48 AM
To: OAIC - Commissioner; s 22, Angelene; s 22, Elizabeth
Cc: s 22, Sarah; s 22, Naomi; s 22, Andrew; s 22, Amy
Subject: [FOR CLEARANCE] Submission to Inquiry on Privacy Legislation Amendment Bill 2022 [SEC=OFFICIAL]
Attachments: DRAFT - Submission to inquiry on Privacy Legislation Amendment Bill 2022.docx; 22113b01.pdf; 22113 EM.pdf; sub1.docx

Snapshot	
Due date	Monday 7 November 2022
Topic for clearance	Inquiry on Privacy Legislation Amendment (Enforcement and Other Measures) Bill 2022
Product (e.g. brief / submission)	Submission (D2022/023633 and attached)
Length / no. of pages	5
External party?	Senate Legal and Constitutional Affairs Committee
Clearance & consultation	Sarah s 22, Andrew s 22
Final Clearance by	Angelene s 22

Hi Angelene and Libby

For your review, we have prepared a submission to the Senate Legal and Constitutional Affairs Committee's [inquiry](#) into the [Privacy Legislation Amendment \(Enforcement and Other Measures\) Bill 2022](#).


The submission is relatively high-level and addresses the key measures in the Bill consistent with the measures highlighted in the Attorney's [second reading speech](#). Please also find attached copies of the Bill and explanatory memorandum.

The ACMA also shared a draft of their submission to the inquiry with us which I've attached for your information. We also intend to share a draft of our submission with the ACMA with the caveat it is to be treated confidentially and has yet to be cleared by you so still subject to change.

Apologies for the tight turnaround but things are moving quickly and submissions are due on **Monday 7 November 2022**. The Committee is due to report by 22 November 2022.

Please let me know if you would like to discuss.

Many thanks
 Beck

 Rebecca s 22 | Director, Law Reform and Digital Platforms
 Regulation and Strategy Branch
 Office of the Australian Information Commissioner
 GPO Box 5218 Sydney NSW 2001 | oaic.gov.au

s 22

f | in | t |  [Subscribe to Information Matters](#)

OAIC - Commissioner

From: s 22, Linda
Sent: Wednesday, 2 November 2022 5:14 PM
To: OAIC - Commissioner; s 22, Angelene
Cc: s 22, Andre; s 22, Elizabeth; s 22, Samantha; OAIC - Executive Assistant; s 22, Nicola; s 22, Elaine
Subject: Brief - suggested response and key messaging on Treasury's proposals for government participation in the CDR [SEC=OFFICIAL]
Attachments: Attachment A - Government participation - Summary of discovery process and proposed pilots.PDF; CDR Board paper - Update on government participation.PDF

Snapshot	
Due date	4 November
Fixed or flexible	Fixed
If fixed, why?	Feedback due to Treasury on 4 November
Topic for clearance	Government participation in the CDR
Product (e.g. brief / submission)	Executive brief and draft response to Treasury
Length / no. of pages	Brief (5pgs), Board paper & Attachment (8pgs)
External party?	Response to Treasury
Clearance & consultation	Andre s 22, Elizabeth s 22
Responsible director	Linda s 22
Final Clearance by	Commissioner

Dear Commissioner,

We have prepared for your review an executive brief and draft response to Treasury on an out of session CDR board paper on Government Participation in the CDR circulated to board members for noting and potential feedback on 24 October and due on **Friday, 4 November**. We will discuss these issues in the briefing tomorrow morning to capture our comments and input. Libby has provided her support for the key messages set out in the brief ahead of the meeting as she will not be able to attend tomorrow.

The brief notes Treasury's update to the Board on its work in identifying possible use cases for government participation in the CDR, timing and work on related policy issues. s 47E(d)

Treasury intends to brief the Assistant Treasurer on its work in progressing government participation in the CDR in November 2022. We have prepared, for your approval and feedback, a draft response to the board paper to Treasury requesting early and ongoing engagement in this area of work. We also refer Treasury to our previous comments on government datasets in the CDR made in submissions to the Sectoral Assessment and the open finance consultations and note the need for a PIA s 47E(d) and examine information flows, the implications of government as a data holder and as an ADR, and interaction with existing regulations and rules regarding government identifiers.

We have a meeting with you scheduled for Thursday, 1 November 2022 to discuss the paper. A copy of the board paper and attachment are attached and available at the following links:

- brief and draft response [D2022/022862](#)
- government participation in the CDR Board paper, [D2022/022930](#) and attachment [D2022/022931](#).



Kind Regards

Linda **s 22** (she/her) | Director, Regulation & Strategy
Office of the Australian Information Commissioner
GPO Box 5218 Sydney NSW 2001 | [oaic.gov.au](https://www.oaic.gov.au)

s 22



[Subscribe to OAICnet newsletter](#)

OAIC - Commissioner

From: s 22, Heath
Sent: Tuesday, 1 November 2022 5:38 PM
To: OAIC - Commissioner
Cc: s 22, Angelene; s 22, Andre; s 22, Joseph
Subject: Snapshot: Summary report and board brief for CDR assessment 2

Categories: Added to Calendar

Snapshot	
Due date	7 November 2022
Fixed or flexible	Fixed
If fixed, why?	Board papers are due to Treasury PMO on 8 November, this timing will allow us time to update with any changes
Topic for clearance	CDR Assessment 2: summary report and board brief
Product (e.g. brief / submission)	Summary report and board brief
Length / no. of pages	Summary report: 10 pages Board brief: 9 pages (including 5 pages of attachments)
External party?	CDR board and publication on website
Clearance & consultation	CDR policy team (consultation) Andre s 22 (clearance)
Responsible director	Heath s 22
Final Clearance by	Commissioner

Dear Commissioner,

Please see for your consideration the:

- summary report for CDR assessment 2 at [D2022/013136](#)
- board brief on this assessment at [D2022/022306](#).

One thing I wanted to draw to your attention the way we treat naming the targets and their performance.

As per the original brief (at [D2021/007009](#)), one of the reasons we intend to publicly identify the performance of targets was the potential reputational risk to better-performing targets if we had a large number of findings attributable to a small number of targets.

This has transpired, and there was a reasonable gap between the better-performing targets (s 47E(d)) and the targets that performed less well (s 47E(d)).

The approach we have taken in the summary report is to name the better-performing targets, but not specify the performance of the targets that performed less well. This attempts to balance the targets' concern about us naming and shaming them, while seeking to ensure we did not suggest the better-performing targets had significant numbers of findings against them.

However, for the board brief, I have included the results for each target. As we have the implied consent of the entities to publish their findings, I am comfortable we can share this information with the board. Please let me know if you have any concerns with this approach.

I started liaising with Strat Comms about any promotion of this report (e.g. through the CDR newsletter or industry channels). Please let me know if you have any views about this.

As per the comment in the board paper, I'll also liaise with the ACCC about the possibility of including more information on privacy obligations during/at the end of the accreditation process.

Please let me know if you have any questions or would like to discuss.

Regards,
Heath



Heath **S 22** | Director
Regulation & Strategy Branch
Office of the Australian Information Commissioner
GPO Box 5218 Sydney NSW 2001 | oaic.gov.au

S 22



[Subscribe to Information Matters](#)

s 22, Samantha

From: **s 22**, Linda
Sent: Tuesday, 1 November 2022 1:49 PM
To: OAIC - Commissioner; **s 22**, Angelene; **s 22**, Samantha; OAIC - Executive Assistant
Cc: **s 22**, Elaine; **s 22**, Andre
Subject: RE: For clearance - Draft letter to the Assistant Treasurer - CDR non-bank lending designation instrument [SEC=OFFICIAL]

Follow Up Flag: Follow up
Flag Status: Completed

Dear Commissioner

Snapshot	
Due date	8 November 2022
Fixed or flexible	Flexible
If fixed, why?	
Topic for clearance	Letter to the Assistant Treasurer – CDR non-bank lending designation instrument
Product (e.g. brief / submission)	Draft letter
Length / no. of pages	Letter – 1 page
External party?	
Clearance & consultation	Linda s 22 , and Andre s 22
Responsible director	Linda s 22
Final Clearance by	Commissioner

Dear Commissioner

We have drafted a letter from you to the Assistant Treasurer [D2022/022716](#) responding to his letter [D2022/022688](#) to you regarding your reports under s56AF of the CCA in relation to the non-bank lending designation instrument and the minor and technical amendment to the banking designation instrument.

Please let us know if you have any questions.



Kind Regards
 Linda **s 22** (she/her) | Director, Regulation & Strategy
 Office of the Australian Information Commissioner
 GPO Box 5218 Sydney NSW 2001 | oaic.gov.au

s 22

[Subscribe to OAICnet newsletter](#)

From: **s 22**, Andre **s 22**
Sent: Tuesday, 1 November 2022 12:19 PM
To: **s 22**, Linda **s 22**
Cc: **s 22**, Elaine **s 22**
Subject: RE: For clearance - Draft letter to the Assistant Treasurer - CDR non-bank lending designation instrument [SEC=OFFICIAL]

Thanks Linda

I've made a couple of edits to shorten to 1 page and remove some duplicate content. Let me know if you think any more edits are required. If not can you please provide to the Commissioner and copy Libby for her info (I mentioned this letter to Libby in our last 1 on 1).

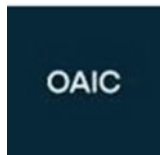
Andre

From: s 22, Linda s 22
Sent: Tuesday, 1 November 2022 10:39 AM
To: s 22, Andre s 22
Cc: s 22, Elaine s 22
Subject: For clearance - Draft letter to the Assistant Treasurer - CDR non-bank lending designation instrument [SEC=OFFICIAL]

Hi Andre

We've made some further changes to the letter to address your comments, the updated letter is here [D2022/022716](#).

Let me know if you need to discuss further. Thanks.



Kind Regards
Linda s 22 (*she/her*) | Director, Regulation & Strategy
 Office of the Australian Information Commissioner
 GPO Box 5218 Sydney NSW 2001 | oaic.gov.au

s 22



From: s 22, Elaine s 22
Sent: Monday, 31 October 2022 3:10 PM
To: s 22, Linda s 22
Subject: FW: For clearance - Draft letter to the Assistant Treasurer - CDR non-bank lending designation instrument [SEC=OFFICIAL]

Hi Linda,

I made a few edits to the draft letter based on Andre's feedback for your review - [D2022/022716](#)

Thanks,
 Elaine

From: s 22, Andre s 22
Sent: Friday, 28 October 2022 7:00 AM
To: s 22, Elaine s 22
Cc: s 22, Linda s 22, Nicola s 22
Subject: RE: For clearance - Draft letter to the Assistant Treasurer - CDR non-bank lending designation instrument [SEC=OFFICIAL]

Thanks Elaine

I have made a suggestion in the letter. Please let me know any questions.

Kind regards

Andre

From: s 22, Elaine s 22
Sent: Tuesday, 25 October 2022 5:58 PM
To: s 22, Andre s 22 >
Cc: s 22, Linda s 22, Nicola s 22
Subject: For clearance - Draft letter to the Assistant Treasurer - CDR non-bank lending designation instrument [SEC=OFFICIAL]

Hi Andre,

Forwarding for your clearance is a draft letter, [D2022/022716](#) from the Information Commissioner to the Assistant Treasurer. The Assistant Treasurer's letter that the draft letter is in response to is also available here - [D2022/022688](#).

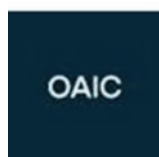
Please let me know if you'd like any changes actioned,
 Elaine

From: s 22, Linda s 22
Sent: Tuesday, 25 October 2022 4:47 PM
To: s 22, Elaine s 22
Cc: s 22, Nicola s 22
Subject: RE: Correspondence | Assistant Treasurer to the Office of the Australian Information Commissioner - Draft CDR non-bank lending designation instrument [SEC=OFFICIAL]

Hi Elaine

Thank you, this reads very well – it's clear, simple and direct and note the use of you / my office etc is in line with our style guide.

I've made a couple of minor changes to the letter. Unless we need to discuss, can you please accept the changes and send onto Andre. Thanks.



Kind Regards
Linda s 22 (she/her) | Director, Regulation & Strategy
 Office of the Australian Information Commissioner
 GPO Box 5218 Sydney NSW 2001 | [oaic.gov.au](https://www.oaic.gov.au)

s 22



[Subscribe to OAICnet newsletter](#)

From: s 22, Elaine s 22
Sent: Monday, 24 October 2022 5:18 PM
To: s 22, Linda s 22
Cc: s 22, Nicola s 22
Subject: RE: Correspondence | Assistant Treasurer to the Office of the Australian Information Commissioner - Draft CDR non-bank lending designation instrument [SEC=OFFICIAL]

Hi Linda,

I have drafted a letter in response for your review - [D2022/022716](#).

The bit about goal came from the stat review sub.

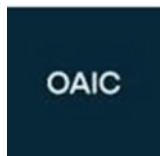
Thanks
e

From: s 22, Linda s 22
Sent: Monday, 24 October 2022 2:19 PM
To: s 22, Elaine s 22
Cc: s 22, Nicola s 22
Subject: FW: Correspondence | Assistant Treasurer to the Office of the Australian Information Commissioner - Draft CDR non-bank lending designation instrument [SEC=OFFICIAL]

Hi Elaine

Could you please put together a response to the Minister / AT. It doesn't have to be more than a few lines, but I think it is a good opportunity for us.

Happy6 to discuss further. Thanks!



Kind Regards
Linda s 22 (she/her) | Director, Regulation & Strategy
 Office of the Australian Information Commissioner
 GPO Box 5218 Sydney NSW 2001 | [oaic.gov.au](https://www.oaic.gov.au)

s 22



[Subscribe to OAICnet newsletter](#)

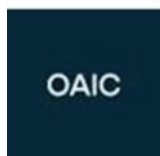
From: s 22, Linda
Sent: Monday, 24 October 2022 3:17 PM
To: s 22, Andre s 22
Subject: RE: Correspondence | Assistant Treasurer to the Office of the Australian Information Commissioner - Draft CDR non-bank lending designation instrument [SEC=OFFICIAL]

Hi Andre

I understand from speaking with Sophia that the last Minister did not write to the Commissioner directly.

Given the Minister / AT has done this I think it is a good opportunity to write back and mention our intent to keep working closely and productively with Treasury.

I'll get the team to draft a letter and we'll send you the draft for review.



Kind Regards
Linda s 22 (she/her) | Director, Regulation & Strategy
 Office of the Australian Information Commissioner
 GPO Box 5218 Sydney NSW 2001 | [oaic.gov.au](https://www.oaic.gov.au)

s 22



[Subscribe to OAICnet newsletter](#)

From: s 22, Andre s 22
Sent: Monday, 24 October 2022 2:55 PM
To: s 22, Linda s 22

Subject: FW: Correspondence | Assistant Treasurer to the Office of the Australian Information Commissioner - Draft CDR non-bank lending designation instrument [SEC=OFFICIAL]

Hi Linda

Please see attached and below. Can you please consider Sam's question and advise.

Kind regards

Andre

From: s 22, Samantha s 22 On Behalf Of s 22, Angelene
Sent: Monday, 24 October 2022 1:47 PM
To: s 22, Andre s 22
Subject: FW: Correspondence | Assistant Treasurer to the Office of the Australian Information Commissioner - Draft CDR non-bank lending designation instrument [SEC=OFFICIAL]

Hi Andre

Please see attached letter received. Appreciate your guidance on if a formal acknowledgment is sent, or happy for the acknowledgement to come from me.

Cheers
Sam

From: s 22 DLO s 22
Sent: Monday, 24 October 2022 10:12 AM
To: s 22, Angelene s 22
Cc: s 22 DLO s 22, Chloe s 22
DLO s 22
Subject: Correspondence | Assistant Treasurer to the Office of the Australian Information Commissioner - Draft CDR non-bank lending designation instrument [SEC=OFFICIAL]

You don't often get email from jonesdlo@treasury.gov.au. [Learn why this is important](#)

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

OFFICIAL

Good morning Ms s 22

Please find attached correspondence from the Assistant Treasurer, the Hon. Stephen s 22 MP, regarding the draft CDR non-bank lending designation instrument.

If you have any questions or concerns, please don't hesitate to reach out to Bart s 22, A/g Assistant Secretary, Regulatory Frameworks Branch, Consumer Data and Digital Division at s 22 or on s 22

Many thanks
Whitney

Whitney **s 22** – Departmental Liaison Officer (she/her)

Office of the Hon Stephen **s 22** MP

Assistant Treasurer and Minister for Financial Services

s 22

OFFICIAL

Please Note: The information contained in this e-mail message and any attached files may be confidential information and may also be the subject of legal professional privilege. If you are not the intended recipient, any use, disclosure or copying of this e-mail is unauthorised. If you have received this e-mail by error please notify the sender immediately by reply e-mail and delete all copies of this transmission together with any attachments.
