



New South Wales

# Privacy and Personal Information Protection Amendment (State Owned Corporations) Bill 2016

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to amend the *Privacy and Personal Information Protection Act 1998* to remove the exclusion of State owned corporations from that Act and to extend that Act to State owned corporations that are not subject to the *Privacy Act 1988* of the Commonwealth. The amendment has been recommended by the Privacy Commissioner in a report to Parliament under section 61B of the *Privacy and Personal Information Protection Act 1998*.

## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent to the proposed Act.

**Schedule 1** amends section 3 (Definitions) of the *Privacy and Personal Information Protection Act 1998* to give effect to the object in the Overview above.



New South Wales

# Privacy and Personal Information Protection Amendment (State Owned Corporations) Bill 2016

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New South Wales

# Privacy and Personal Information Protection Amendment (State Owned Corporations) Bill 2016

No. , 2016

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## **A Bill for**

An Act to amend the *Privacy and Personal Information Protection Act 1998* to extend its application to State owned corporations that are not subject to the *Privacy Act 1988* of the Commonwealth.

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**The Legislature of New South Wales enacts:**

1

**1 Name of Act**

2

This Act is the *Privacy and Personal Information Protection Amendment (State Owned Corporations) Act 2016*.

3

4

**2 Commencement**

5

This Act commences on the date of assent to this Act.

6

<b>Schedule 1</b>	<b>Amendment of Privacy and Personal Information Protection Act 1998 No 133</b>	1
		2
<b>[1] Section 3 Definitions</b>		3
	Insert after paragraph (f) of the definition of <i>public sector agency</i> in section 3 (1):	4
	(f1) a State owned corporation that is not subject to the <i>Privacy Act 1988</i> of the Commonwealth,	5
		6
<b>[2] Section 3 (1), definition of “public sector agency”</b>		7
	Omit “paragraph (a)–(f)” from paragraph (g) (i). Insert instead “paragraph (a)–(f1)”.	8
<b>[3] Section 3 (1), definition of “public sector agency”</b>		9
	Omit “but does not include a State owned corporation.”.	10