



New South Wales

Road Transport (Driver Licensing) Amendment (Release of Information) Regulation 2002

under the

Road Transport (Driver Licensing) Act 1998

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Driver Licensing) Act 1998*.

CARL SCULLY, M.P.,
Minister for Transport

Explanatory note

The object of this Regulation is to permit the Roads and Traffic Authority to release to the Australian Electoral Commission information about a person recorded in the driver licence register. It is intended that the information will permit the Australian Electoral Commission to identify persons whose names are not recorded on the electoral roll and to seek to enrol those persons. The information may be provided subject to such conditions as the Roads and Traffic Authority may agree with the Commission, or if there is no agreement, determine.

This Regulation also repeals a provision that applied the Information Privacy Principles contained in section 14 of the *Privacy Act 1988* of the Commonwealth to information held in the demerit points register and the driver licence register. This provision was inserted before the commencement of the New South Wales *Privacy and Personal Information Protection Act 1998* and is now redundant as personal information recorded in those registers is covered by that Act.

This Regulation is made under the *Road Transport (Driver Licensing) Act 1998*, including section 12 and section 19 (the general regulation-making power).

2002 No 844

Clause 1 Road Transport (Driver Licensing) Amendment (Release of Information)
Regulation 2002

Road Transport (Driver Licensing) Amendment (Release of Information) Regulation 2002

under the

Road Transport (Driver Licensing) Act 1998

1 Name of Regulation

This Regulation is the *Road Transport (Driver Licensing) Amendment (Release of Information) Regulation 2002*.

2 Amendment of Road Transport (Driver Licensing) Regulation 1999

The *Road Transport (Driver Licensing) Regulation 1999* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 2)

Clause 25

Omit the clause. Insert instead:

25 Release of information to the Australian Electoral Commission

- (1) The Authority may provide to the Australian Electoral Commission any information recorded in the driver licence register for the purpose of assisting the Australian Electoral Commission to carry out its functions under the *Commonwealth Electoral Act 1918* of the Commonwealth.

Note. The disclosure of personal information by the Authority is regulated by the *Privacy and Personal Information Protection Act 1998*. Section 25 of that Act allows personal information to be disclosed if the disclosure is permitted (or is necessarily implied or reasonably contemplated) under an Act or any other law.

- (2) The Authority may provide the information to the Australian Electoral Commission on such conditions as are agreed between the Authority and the Commission, or if there is no agreement, as are determined by the Authority.