



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.



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New South Wales

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

No. , 2016

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.

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.

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| | | |
|--|--|----|
| Schedule 1 | Amendment of Privacy and Personal Information Protection Act 1998 No 133 | 1 |
| | | 2 |
| [1] Section 3 Definitions | | 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 |
| [2] Section 3 (1), definition of “public sector agency” | | 7 |
| | Omit “paragraph (a)–(f)” from paragraph (g) (i). Insert instead “paragraph (a)–(f1)”. | 8 |
| [3] Section 3 (1), definition of “public sector agency” | | 9 |
| | Omit “but does not include a State owned corporation.”. | 10 |