

# Information Privacy Guide

## Introduction

The *Information Privacy Act 2009* (IP Act) provides for the fair collection and handling of personal information by all Queensland Government agencies. These obligations are set out in Chapter 2 and Schedule 3 (Information Privacy Principles) of that Act.

The IP Act also provides individuals with a right of access to and amendment of personal information in the government's possession and control unless, on balance, it is contrary to the public interest.

Personal information is defined in the IP Act as:

*'information or an opinion, including information or opinion forming part of a database, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can be reasonably ascertained, from the information or opinion'*

Essentially, personal information is any information about an identifiable person.

The current reprint of the IP Act is available from: [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)

## Purpose of this guide

In accordance with our requirements under Information Privacy Principle 5 (IPP5), this guide provides general information on:

- the type of personal information contained in documents held by the Commission,
- the main purposes for which this information is used and
- how you can access your personal information held in Commission documents.

It also includes what to do if you have concerns about the Commission's handling of your personal information.

## Our key responsibilities

The Queensland Racing Integrity Commission (QRIC) is an independent statutory body which oversees the integrity and welfare standards of racing animals and participants in Queensland. We began operation on 1 July, 2016 and were established by the *Racing Integrity Act 2016*.

We report to the Minister for Racing and are accountable to the Queensland Government under the *Financial Accountability Act 2009*. We work in partnership with the racing industry to improve integrity standards and to further safeguard the welfare of licensed animals.

## Our commitment to the responsible management of personal information

We are committed to ensuring that all personal information is managed in accordance with the privacy principles. In doing so, we will ensure:

- the personal information of our clients and employees will be responsibly and transparently collected, managed, used and disclosed in accordance with the eleven Information Privacy Principles (IPPs)
- personal information will be disclosed to other entities (including agencies, other levels of government or the private sector) responsibly and transparently
- information will only be transferred outside of Australia in accordance with section 33 of the IP Act.
- all reasonable steps will be taken to bind contracted service providers to the IPPs if they are dealing in any way with personal information on our behalf (as per section 35 of the IP Act).
- privacy breaches and complaints will be dealt with in a timely and responsive manner and complainants will be treated with respect throughout the process.
- we will comply with the conditions of any public interest approvals issued by the Information Commissioner under section 157 of the IP Act.

## The type of personal information contained in our documents

In delivering its business, the Commission collects a range of customer and employee personal information.

As part of the Commission's licensing role it holds personal details of all licensed participants within the racing industry.

In keeping with the Information Privacy Principle 3 the information collected from applicants is only that information which is relevant to carrying out the Commission's licensing function.

The Commission also manages registers containing personal information, which include, but are not limited to:

- Gifts Register
- Corporate records / financial management records, and
- Consultant/contractor/supplier records

Personal information is also held on Commission files related to the business and service delivery functions of the Commission.

This includes delivery of the following responsibilities:

- Determining if licensed participants are fit and proper, including information contained in criminal history checks.
- Dealing with disciplinary matters under the rules of racing
- Investigating and prosecuting breaches of the *Racing Integrity Act 2016*.
- Maintaining registers of the ownership of licensed animals
- Testing samples taken licensing participants, and licensed animals.

## Sharing of information with other enforcement agencies

The *Racing Integrity Act 2016* provides for the Commission's authorised officers to share information about with the Queensland Police Service, or an authorised officer or inspector under the *Animal Care and Protection Act 2001*. The information can be shared when the information may assist the other parties in relation to animal welfare offences.

The parties receiving this information are bound by the *Information Privacy Act* and the Information Privacy Principles and must manage any personal information provided under the *Racing Integrity Act 2016* appropriately.

The Commission will only be providing private information which is necessary to assist these other agencies in their work.

## How you can access or request amendment of your personal information

The right of access to and amendment of personal information is dealt with under Information Privacy Principles 6 and 7 of the IP Act.

## Access to documents containing personal information

Information Privacy Principle 6 provides that a person is entitled to access any record that contains their personal information, except where access is restricted by any law. This includes the provisions in Chapters 3 of both the *Right to Information Act 2009* and the IP Act.

The Commission endeavours to provide access to personal information informally, without requiring a person to make an application under the RTI or IP Acts.

However, in some situations informal access will not be appropriate, and you may need to make an application under the RTI or IP Act. (For example, if a third party's privacy is also involved).

## Amendment of documents containing personal information

Information Privacy Principle 7 provides that a person is entitled to seek an amendment of any record that contains their personal information that is inaccurate, incomplete, out of date or misleading.

Applications can only be made by a person seeking amendment of their own personal information, or of a deceased person to whom they are next of kin.

## Applications for access to or amendment of personal information

Requests for documents or amendment of personal information under the RTI or IP Acts must be made on the prescribed statutory forms, copies of which are available at [www.rti.qld.gov.au](http://www.rti.qld.gov.au).

Prior to lodging an access or amendment application for information held by this Commission it is suggested that contact,

### Privacy Officer

Queensland Racing Integrity Commission  
PO BOX 15666  
CITY EAST QLD 4002

Email: [PrivacyOfficer@qric.qld.gov.au](mailto:PrivacyOfficer@qric.qld.gov.au)

## How you can complain about our handling of your personal information

A privacy complaint is a complaint made by an individual about an act or practice of a Commission in relation to that individual's personal information.

Privacy complaints should be made no longer than twelve months from the date when the act or practice the complaint is about occurred.

If you wish to lodge a privacy complaint, please:

- submit your complaint in writing
- state an address which we can use to contact you, and
- include details about the actions or practice you are complaining about

Mark your complaint as Private and Confidential, and address it to:

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The Commission will endeavour to respond to your concerns within 45 business days from the date your complaint is received.

However, in some circumstances, a longer period may be required in order to finalise your complaint. If so, you will be contacted with a view to arranging an extension of time.

On completion, you will be advised in writing of the Commission's decision, including any remedies that are considered appropriate to resolve the complaint.

## What happens if you are not happy with the Commission's response to your complaint?

If you have made a complaint to the Commission under the IP Act and you are not satisfied with the response you receive, you can refer your privacy complaint to the Office of the Information Commissioner (OIC)

However, note that your complaint can only be made to the OIC after 45 business days has lapsed from the date the complaint was received by the Commission.

Refer to the OIC's website for further information:

[www.oic.qld.gov.au/about/privacy/privacy-complaints](http://www.oic.qld.gov.au/about/privacy/privacy-complaints)

## Further information

All legislation referred to in this guide is available from: [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au).

For general enquiries on the operation and application of Queensland's RTI and IP legislation, please contact the OIC enquiry service:

Office of the Information Commissioner  
Telephone: (07) 3234 7373  
Fax: (07) 3405 1122  
Email: [enquiries@oic.qld.gov.au](mailto:enquiries@oic.qld.gov.au)  
Website: [www.oic.qld.gov.au](http://www.oic.qld.gov.au).