

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 the Information Privacy Principles (IPPs) in Schedule 3 of the IP 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.

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 department,
- the main purposes for which this information is used and
- how you can access your personal information held in departmental documents.

This Guide also provides information on what to do if you have concerns about the department's handling of your personal information.

Our key responsibilities

The department is an economic development agency that enables the productive and responsible use of our natural resources –land, water, mineral and energy resources – to generate wealth and prosperity for current and future generations of Queenslanders.

The department has six service areas:

- Land and property
- Water management
- Energy Services
- Mining and exploration
- Energy
- Mapping and data.

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 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 department collects a vast amount of customer and employee personal information.

We are required to collect, manage, use and disclose personal information in accordance with various legislation, policies, procedures and administrative reasons in the course of our day-to-day activities.

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

- Water Allocations Register
- Government Land Register
- Gifts Register
- corporate records / financial management records, and
- consultant / contractor / supplier records.

Personal information is also held on departmental files related to business and service delivery functions of the department. This includes delivery of the following responsibilities:

- Mining and Petroleum including:
 - Extractive Resource Planning
 - Gas Pipelines
 - Geological Survey, Exploration Promotion and Investment Attraction
 - Greenhouse Gas Storage

- Land Access Policy
- Mineral and Energy Resources
- Mineral Resources Impacts on Aboriginal and Torres Strait Islander Interests
- Mining and Petroleum Industry Development
- Mining, Petroleum and Geothermal Tenures, Pipeline Licences and Rents.
- Safety and Health including Abandoned Mines, Explosives, Extractive Industries, Gas, Geothermal, Mining and Petroleum
- Aboriginal and Torres Strait Islander matters including Land Interests, Land Titles and Native Title
- Land including:
 - Allocation, Management and Use of State Land
 - Compulsory Acquisition
 - Conservation
 - Information, Place Names, Surveying and Mapping
 - Land Titles
 - Strategic Cropping Land
 - Valuations
 - Natural Resource Management including Catchment Management and Water Resources Management
 - Selling allocation of State quarry material under the Water Act 2000
 - Registration of Valuers and Surveyors
 - Water Resource Allocation, Planning and Management
 - Western Rivers.

Energy Services

- Management of general energy enquiries
- Applicant information for applicable programs delivered by the department such as the Drought Relief for Electricity Charges scheme, Energy Efficiency Appliance Rebate, Interest Free Loans for Solar and Storage Scheme and the Solar for Rental Properties trial.
- Energy Policy – including general details of suppliers and consumer representatives

Water

- Registered Water Supply & Sewerage Service Providers
- Registered Recycled water schemes

The department may also deal with personal information in administering its legislative responsibilities. Refer to the end of this guide for a list of legislation administered by this department.

Personal information dealt with under the Business and Corporate Partnership

The department participates in a business and corporate partnership (B&CP) service delivery model with two other Queensland Government agencies.

A Memorandum of Understanding (MoU) is in place regarding the transfer of personal information between the departments for the provision of specified business and corporate services.

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 IPPs 6 and 7 of the IP Act.

Access to documents containing personal information

IPP 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 department 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 personal information is also involved).

Amendment of documents containing personal information

IPP 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

Prior to lodging an access or amendment application for information held by this department, please contact RTI Services for advice:

Telephone: (07) 3330 6111

Email: rtiservices@des.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 department in relation to that individual's personal information.

Privacy complaints should be made within 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 to:

The Privacy Officer
Governance and Strategy
Department of Natural Resources, Mines and Energy
GPO Box 2454
Brisbane Qld 4001
Email: privacy@dnrme.qld.gov.au

The department 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 department's decision, including any remedies that are considered appropriate to resolve the complaint.

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

If you have made a complaint to the department 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 department.

Refer to the OIC's website for further information: www.oic.qld.gov.au/about/privacy/privacy-complaints

Further information

For general enquiries on the operation and application of Queensland's Right to Information and Information Privacy legislation, please contact the Office of the Information Commissioner (OIC) enquiry service:

Telephone: (07) 3234 7373
Fax: (07) 3405 1122
Email: enquiries@oic.qld.gov.au
Website: www.oic.qld.gov.au

Legislation administered by the department

- *Aboriginal Land Act 1991* (except to the extent administered by the Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships; and the Attorney-General and Minister for Justice)
- *Aboriginal and Torres Strait Islander Land Holding Act 2013*
- *Acquisition of Land Act 1967*
- *Alcan Queensland Pty. Limited Agreement Act 1965* (except to the extent administered by the Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships) (Sch)
- *Allan and Stark Burnett Lane Subway Authorisation Act 1926*
- *Building Units and Group Titles Act 1980* (except to the extent administered by the Attorney-General and Minister for Justice; sections 5, 5A, 119, 133 and 134 jointly administered with the Attorney-General and Minister for Justice)
- *Cape York Peninsula Heritage Act 2007* (except to the extent administered by the Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts)
- *Central Queensland Coal Associates Agreement Act 1968* (except to the extent administered by the Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships); (Sch pt III) (Sch 1 pt III – to the extent that it is relevant to mining or resource management matters)
- *Central Queensland Coal Associates Agreement (Amendment) Act 1986* (to the extent that it is relevant to mining or resource management matters)
- *Central Queensland Coal Associates Agreement Amendment Act 1989* (to the extent that it is relevant to mining or resource management matters)
- *Central Queensland Coal Associates Agreement and Queensland Coal Trust Act 1984* (to the extent that it is relevant to mining or resource management matters)
- *Century Zinc Project Act 1997* (except to the extent administered by the Minister for State Development, Manufacturing, Infrastructure and Planning; and the Minister for Transport and Main Roads)
- *Coal Mining Safety and Health Act 1999*
- *Commonwealth Aluminium Corporation Pty. Limited Agreement Act 1957* (except to the extent administered by the Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships)
- *Electronic Conveyancing National Law (Queensland) Act 2013*
- *Explosives Act 1999*
- *Foreign Governments (Titles to Land) Act 1948*
- *Foreign Ownership of Land Register Act 1988*

- *Fossicking Act 1994* (except to the extent administered by the Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships)
- *Geothermal Energy Act 2010* (except to the extent administered by the Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships)
- *Greenhouse Gas Storage Act 2009*
- *Ipswich Trades Hall Act 1986*
- *Lake Eyre Basin Agreement Act 2001* (except to the extent administered by the Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts)
- *Land Access Ombudsman Act 2017*
- *Land Act 1994* (except to the extent administered by the Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships; and the Minister for Transport and Main Roads to the extent it is relevant to the Pentland Biofuels Project of Renewable Developments Australia Pty Ltd in the plan area of the Water Plan (Burdekin Basin) 2007)
- *Land Title Act 1994*
- *Land Valuation Act 2010*
- *Mineral and Energy Resources (Common Provisions) Act 2014*
- *Mineral Resources Act 1989* (except to the extent administered by the Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships)
- *Mining and Quarrying Safety and Health Act 1999*
- *Mount Isa Mines Limited Agreement Act 1985* (except to the extent administered by the Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships)
- *Native Title (Queensland) Act 1993*
- *New South Wales Queensland Border Rivers Act 1946*
- *Offshore Minerals Act 1998* (except to the extent administered by the Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships)
- *Petroleum Act 1923* (except to the extent administered by the Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships)
- *Petroleum and Gas (Production and Safety) Act 2004* (except to the extent administered by the Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships)
- *Petroleum (Submerged Lands) Act 1982* (except to the extent administered by the Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships)
- *Place Names Act 1994*
- *Queensland Nickel Agreement Act 1970* (Sch pts II-III (except to the extent administered by the Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships))

Partnerships), VI and VII) (to the extent that it is relevant to mining or resource management matters)

- *Queensland Nickel Agreement Act 1988* (to the extent that it is relevant to mining or resource management matters)
- *Registration of Plans (H.S.P. (Nominees) Pty. Limited) Enabling Act 1980*
- *Registration of Plans (Stage 2) (H.S.P. (Nominees) Pty. Limited) Enabling Act 1984*
- *River Improvement Trust Act 1940*
- *Soil Conservation Act 1986*
- *Soil Survey Act 1929*
- *Starcke Pastoral Holdings Acquisition Act 1994*
- *Stock Route Management Act 2002*
- *Survey and Mapping Infrastructure Act 2003*
- *Surveyors Act 2003*
- *Thiess Peabody Coal Pty. Ltd. Agreement Act 1962* (except to the extent administered by the Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships)
- *Thiess Peabody Mitsui Coal Pty. Ltd. Agreements Act 1965* (except to the extent administered by the Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships; and the Minister for Transport and Main Roads)
- *Torres Strait Islander Land Act 1991* (except to the extent administered by the Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships; and the Attorney-General and Minister for Justice)
- *Valuers Registration Act 1992*
- *Vegetation Management Act 1999*
- *Water Act 2000* (except to the extent administered jointly with the Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts; and the Minister for Transport and Main Roads to the extent it is relevant to the Water Plan (Burdekin Basin) 2007)
- *Water (Commonwealth Powers) Act 2008*
- *Yeppoon Hospital Site Acquisition Act 2006*
- *Electricity Act 1994*
- *Electricity-National Scheme (Queensland) Act 1997*
- *Energy and Water Ombudsman Act 2006*
- *Gas Supply Act 2003*
- *Gladstone Power Station Agreement Act 1993*
- *Liquid Fuel Supply Act 1984*

- *National Energy Retail Law (Queensland) Act 2014*
- *National Gas (Queensland) Act 2008*
- *Nuclear Facilities Prohibition Act 2007*
- *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*
- *South East Queensland Water (Restructuring) Act 2007* (in so far as the Minister is a jointly Responsible Minister for the purpose of Chapter 2 of this Act)
- *Water Act 2000* Chapter 1A, Chapter 2A, Chapter 4 (to the extent that it is relevant to Category 1 Water Authorities), Chapter 9 Part 2 and, to the extent relevant to all these parts, Chapters 5, 6 and 7) Chapter 8, s. 999 and Part 4A Chapter 8, Part 5 (jointly administered with the Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts)
- *Water Efficiency Labelling and Standards (Queensland) Act 2005*
- *Water Supply (Safety and Reliability) Act 2008*

Note:

Link to enforce legislation <https://www.legislation.qld.gov.au/browse/inforce>

This legislation is current for the [Administrative Arrangements](#) Order (No. 1) 2018 and is subject to change.