

## Statement

20 May 2020

### NSW Privacy Commissioner Statement on use of Commonwealth mobile tracing app data for managing the COVID-19 pandemic

The NSW Privacy Commissioner, Ms Samantha Gavel, has issued the following updated statement about the Commonwealth Government's COVID-19 tracing app:

1. In my role as NSW Privacy Commissioner I have been briefed on the Commonwealth app. The various privacy, security, IT and information transfer arrangements of the app have been settled with the involvement of a number of Commonwealth Government agencies, including the Office of the Australian Information Commissioner (OAIC). The focus on provision of limited data by the consumer and control of that release is very valuable.
2. I note that the *Privacy Amendment (Public Health Contact Information) Bill* was passed by the Australian Parliament on 14 May 2020, inserting new privacy safeguards for COVIDSafe app data into the *Privacy Act 1988*. The Privacy Act is overseen by the OAIC. Further information on privacy and the COVIDSafe app can be found on the OAIC website at <https://www.oaic.gov.au/privacy/covid-19/the-covidsafe-app-and-my-privacy-rights/>
3. Noteworthy elements of the app are that the information will be used for a narrow purpose, which is for contact tracing by health authorities where someone has been diagnosed with COVID-19 and the preclusion on the ability to use the data for a law enforcement purpose, as well as penalties for improper use.
4. I will continue having discussions with the Commonwealth and other State and Territory Privacy Commissioners and Ombudsman about the app during the pandemic.

**ENDS**

**For further information, please contact:**

IPC media team on 0435 961 691 or email [ccadigital@ipc.nsw.gov.au](mailto:ccadigital@ipc.nsw.gov.au)

**About the Information and Privacy Commission:**

The Information and Privacy Commission NSW (IPC) is an independent statutory authority that administers New South Wales' legislation dealing with privacy and access to government information. The IPC supports the Information Commissioner and the Privacy Commissioner in fulfilling their legislative responsibilities and functions and to ensure individuals and agencies can access consistent information, guidance and coordinated training about information access and privacy matters.

### **About the NSW Privacy Commissioner**

Samantha Gavel was appointed as NSW Privacy Commissioner on 4 September 2017. Her role is to promote public awareness and understanding of privacy rights in NSW, as well as provide information, support, advice and assistance to agencies and the general public.

For further information about the IPC visit our website at [www.ipc.nsw.gov.au](http://www.ipc.nsw.gov.au)

