

media release

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Privacy Commissioner releases investigation report on security industry licences

The NSW Privacy Commissioner has investigated a complaint that mandatory licence cards which security industry employees are required to wear and display whilst on duty, disclosed the licence holder's date of birth contrary to any lawful authority.

As a result of the investigation the NSW Police acknowledged that there was no lawful basis for issuing the cards (manufactured on their behalf by Roads and Maritime Services), containing the excessive personal information about the individual licence holder.

Deputy Privacy Commissioner John McAteer said that both public sector agencies responded adequately to our concerns in the investigation of this complaint by

- implementing an improved licence card issuing process that lowers the risk to physical or financial privacy of members of the security industry.
- making available a suitable remedial process of licence card replacement at no cost to licence holders concerned about the display of their date of birth on the card.

"The investigation into this matter has revealed that the agencies did not meet their privacy obligations under New South Wales law," Mr McAteer said.

"The mandatory display of excessive personal information, (the date of birth) is a matter of significance when looking to prevent identity theft and other risks to the personal safety and privacy of individuals."

"Agencies need to clearly understand their powers and obligations, and the limits on what personal information they collect and use," Mr McAteer said. "In the absence of any specific exemption, agencies need to be mindful of the limitations imposed under NSW privacy law when transacting with both general consumers and those regulated by the agency, as in this instance with the security industry."

The Privacy Commissioner is satisfied with the action taken by the agencies to rectify the problem as a result of the matters raised in the investigation.

The report can be accessed on the Office of the Privacy Commissioner website at www.privacy.nsw.gov.au.

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