

Information Privacy Guide

Department of Environment and Science

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.

The current reprint of the IP Act is available by clicking here: [Information Privacy Act 2009](#)

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 responsible for managing, protecting and restoring Queensland's natural environment and heritage; strengthening Queensland's scientific excellence; and promoting Queensland as a unified, harmonious and inclusive community.

An overview of the responsibilities for each portfolio area are outlined below.

Environment

- protect and manage our parks, forests and the Great Barrier Reef for current and future generations
- enhance Queensland's ecosystems
- conserve and protect Queensland's biodiversity and threatened species
- protect significant heritage places
- implement improved waste management and resource recovery
- develop and deliver programs supporting climate action
- avoid, minimise or mitigate impacts to the environment



Science

- lead the development of science strategy for government
- deliver scientific expertise to protect and manage our environment and natural resource base
- support the development of Queensland's science sector.

Multicultural Affairs Queensland

- improve social and economic inclusion outcomes for people from culturally and linguistically diverse backgrounds
- implement, influence and invest in programs and initiatives that contribute to building a united, harmonious, and inclusive Queensland
- provide leadership across government agencies to implement the Multicultural Recognition Act 2016, Queensland Multicultural Policy and embed the principles of the Multicultural Queensland Charter
- coordinate the implementation, monitoring and reporting on the Queensland Language Services Policy to improve access to government information and services for people not proficient in English.

Personal information we manage

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 requirements that relate to our areas of responsibility and product and service delivery:

- wildlife and ecosystems management
- licences and permits
- environmental management and regulation
- park management including camping bookings and vehicle permits
- science programs and activities
- Multicultural Queensland programs and activities
- consultation and engagement.

The department also manages a number of registers containing personal information, including, but not limited to:

- Queensland Contaminated Land Register
- Queensland Heritage Register
- Environmental Management Register
- Gifts Register
- corporate records / financial management records
- consultant/contractor/supplier records
- employee personnel records.

The department may also deal with personal information in administering the following legislation:

- *Aboriginal Land Act 1991* (to the extent that it is relevant to the transfer of land as Aboriginal land prior to the dedication of national parks (Cape York Peninsula Aboriginal land) under the Nature Conservation Act 1992 and associated transfers of land as Aboriginal land)
- *Biodiscovery Act 2004*
- *Cape York Peninsula Heritage Act 2007* (except to the extent administered by the Minister for Resources)
- *Coastal Protection and Management Act 1995*
- *Environmental Offsets Act 2014*
- *Environmental Protection Act 1994*

- *Fisheries Act 1994* (as it is relevant to Fish Habitat Areas)
- *Forestry Act 1959* (jointly administered with the Minister for Agricultural Industry Development and Fisheries and Minister for Rural Communities)
- *Gene Technology (Queensland) Act 2016*
- *Lake Eyre Basin Agreement Act 2001* (to the extent that it is relevant to environmental matters)
- *Land Act 1994* (to the extent that it is relevant to dealing with land associated with the dedication of national parks (Cape York Peninsula Aboriginal land) under the Nature Conservation Act 1992, associated transfers of land as Aboriginal land and actions agreed in Indigenous Land Use Agreements for those lands)
- *Marine Parks Act 2004*
- *National Environment Protection Council (Queensland) Act 1994*
- *Nature Conservation Act 1992*
- *Newstead House Trust Act 1939*
- *North Stradbroke Island Protection and Sustainability Act 2011*
- *Queensland Heritage Act 1992*
- *Recreation Areas Management Act 2006*
- *Tweed River Entrance Sand Bypassing Project Agreement Act 1998*
- *Waste Reduction and Recycling Act 2011*
- *Water Act 2000* (Chapter 3, and to the extent relevant to Chapter 3, Chapters 5, 6 and 7; and Chapter 8, Part 5, jointly administered with the Minister for Regional Development and Manufacturing and Minister for Water)
- *Wet Tropics World Heritage Protection and Management Act 1993*
- *Multicultural Recognition Act 2016*.

For more information about what we do and our information holdings, including what information is routinely available, please go to: [Publication scheme | Department of Environment and Science, Queensland \(des.qld.gov.au\)](https://www.des.qld.gov.au)

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 four other Queensland Government agencies.

A Memorandum of Understanding 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 Information Privacy Principles 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](#) (RTI Act) and the IP Act.

The department endeavours to provide access to personal information informally, without requiring a person to make an application under the 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 for 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 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:

The Privacy Officer
Corporate Governance and Operations
Department of Environment and Science
GPO Box 2454
Brisbane Qld 4001
Email: privacy@des.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

All legislation referred to in this guide is available from: 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:

Telephone: (07) 3234 7373

Email: enquiries@oic.qld.gov.au

Website: www.oic.qld.gov.au.

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