

Privacy Law Reform

Maximum of \$1.7 Million Fines for carelessly discarding personal data



Sound data destruction policies are not just excellent business practice, it is the law. If your organisation collects and/or holds personal information, you are required to comply with the Privacy Act 1988 and its Amendments. The collection of Personal Information can be as simple as hard copies of emails, orders and accounts; or written notes from client contacts, meetings and phone calls.

Australian Privacy Law Reform. Were You Ready?

'Big stick for companies unprepared for new privacy laws'

WhaTech.com, 17 February, 2014

'Reforms beef-up Privacy Commissioner's powers'

Hunt & Hunt Lawyers, 3 February, 2014

'Industry in dark on privacy law'

The Australian, 21 January, 2014

'Privacy Commissioner plans hardline approach to new Act'

itNews.com.au, 25 November, 2013

'Businesses unaware and unprepared for privacy reforms'

ITWire.com, 17 October, 2013

'Australians more concerned about privacy than ever before'

The Sydney Morning Herald, 9 October, 2013



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On **Wednesday March 12, 2014** the Office of the Australian Information Commissioner (OAIC) began enforcing the Privacy Amendment Act 2012 (No. 197, 2012) which includes a set of new, harmonised privacy principles that will regulate the handling of personal information. These 13 new privacy principles are called the Australian Privacy Principles (APPs) and will apply to all Australian organisations with revenue greater than \$3 million.

Specifically, Australian Privacy Principle 11 relates to the security of personal information stipulating that **organisations must 'take steps to destroy or de-identify personal information that is no longer required, subject to other record keeping requirements.'**

Under the heading **"Serious and repeated interferences with privacy"** of The Privacy Act 1988, "an entity contravenes this subsection if:

- (a) the entity does an act, or engages in a practice, that is a serious interference with the privacy of an individual; or
- (b) the entity repeatedly does an act, or engages in a practice, that is an interference with the privacy of one or more individuals."

Civil Penalty: 2,000 penalty units

On 28 December 2012, the **Crimes Legislation Amendment** (Serious Drugs, Identity Crime and Other Measures) Act 2012 came into effect. Therefore **the maximum penalty for 'serious and repeated interferences with privacy'** is now:

\$ 1,700,000
for Public & Private Organisations

\$ 340,000
for Individuals

For nearly 15 years Shred-X Document Destruction has been the leader in secure destruction services. We provide tailored services to thousands of small and large organisations **throughout Australia.** Our destruction services include:

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- Destruction of X-Rays, Medical Prescription/Scripts, Credit Cards;
- Destruction of Prototypes, Counterfeit/Confiscated Products; and
- Destruction of Uniforms and Out-Dated Advertising Material.



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