



Managing privacy risks: Privacy reform and what this means for cybersecurity professionals and business

**Australian Women in Security
Network**

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Gold Coast, Australia

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Managing Director
Privcore





About us

Privcore's team with over four decades experience supports business and government to **make privacy core business** so they can deliver services with the trust and confidence of customers and citizens.

Privacy impact assessments	Data breach prevention and recovery
Privacy health checks and reviews	Privacy by design
Building privacy programs	Privacy aspects of AI and automation
Privacy maturity uplift	Training and presentations
Privacy and related research	Privacy policies and notices
Outsourced privacy officer services	Cookie policies and notices



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Overview

- Privacy v security
- Trends leading to increased regulation
- Privacy reform presented to Parliament
- Current state v future state
- Further privacy reform still to come
- How to prepare
- Resources

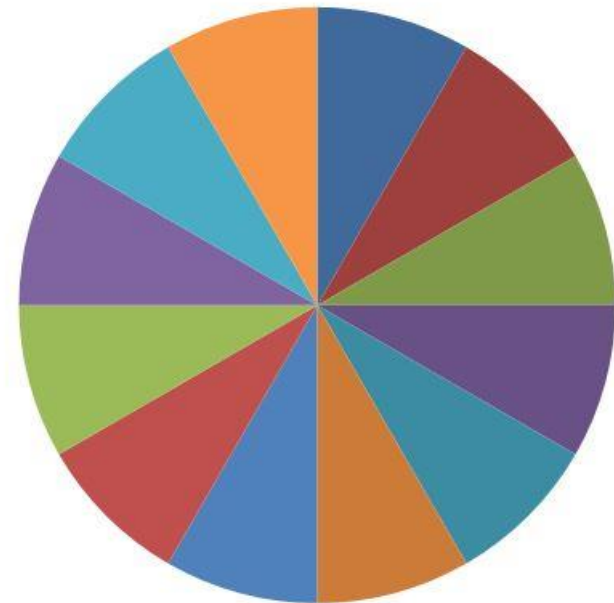


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How is privacy different from security?

Privcore's Privacy Pie

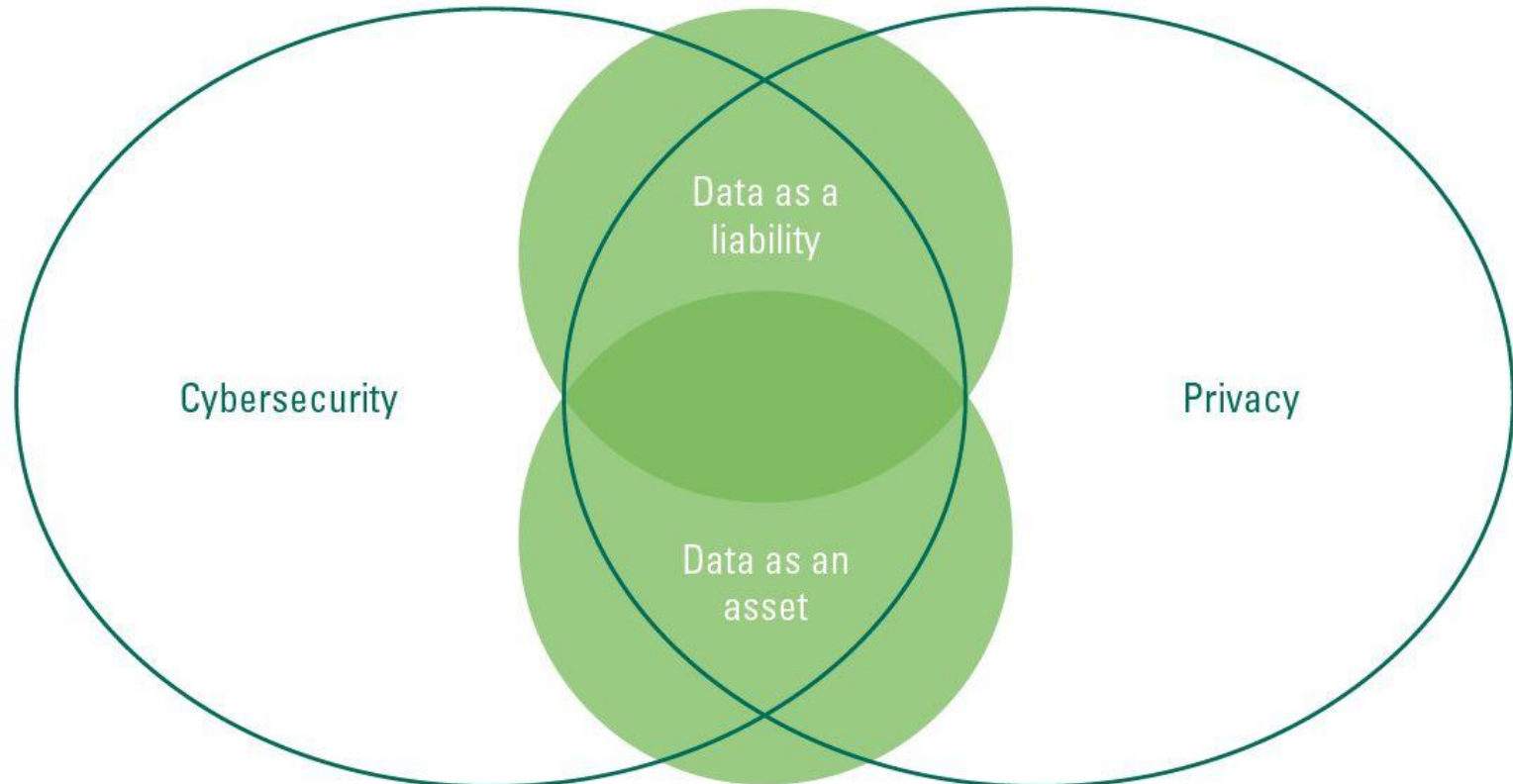


Security is only one component of privacy



- Anonymity
- Practices, procedures and systems
- Collection – data minimisation
- Use
- Disclosure
- Quality
- Destruction
- Security
- Correction
- Cross-border data transfers
- Access
- Transparency and notices

How is privacy different from security?



Source: iapp and (ISC)²
White Paper, October 2022



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Trends leading to increased regulation

- Technology advances
- Mass data collection and customisation
- Data breaches
- Trust decline and lack of social licence



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Introduced to
Parliament
12 September 2024



2022-2023-2024

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

Privacy and Other Legislation Amendment Bill 2024

No. , 2024

(Attorney-General)

**A Bill for an Act to amend the law in relation to
privacy and the criminal law, and for related
purposes**



Key privacy reforms

Key privacy reforms:

- New civil tier penalty regime and infringement notices
- OAIC to develop an online children's privacy code
- Establish a statutory tort for serious invasions of privacy
- Clarification of the security principal – APP 11
- Transparency required around automated decision making in privacy policies – APP 1





Who is impacted?

Every entity regulated by the Privacy Act – this includes:

- Private sector businesses with annual turnover >\$AU 3 million (including offshore entities with link to Australia)
- Private sector health service providers regardless of annual turnover
- Credit reporting bodies
- Residential tenancy database operators
- Any organisation handling TFNs in relation to TFN data
- ACT and Federal government agencies and their contractors



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Further reform to come

Another ~75% of reform still to go:

- Narrowing or removal of exemptions – small business, employee records, journalism
- Clarification of definitions including ‘personal information’ and ‘consent’ to legislate OAIC regulatory guidance
- Introduction of a ‘fair and reasonable’ test
- Requirement to conduct PIAs for high risk activities
- Communicate data retention periods in privacy policies
- Data breach notification within 72 hours
- Introduction of a direct right of action



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How to prepare

- Conduct or procure a privacy health check – identify key privacy risk areas across your organisation
- Once risks are identified put in place a plan to remediate risks and commence privacy maturity uplift journey
- Remember you cannot protect what you don't know you have





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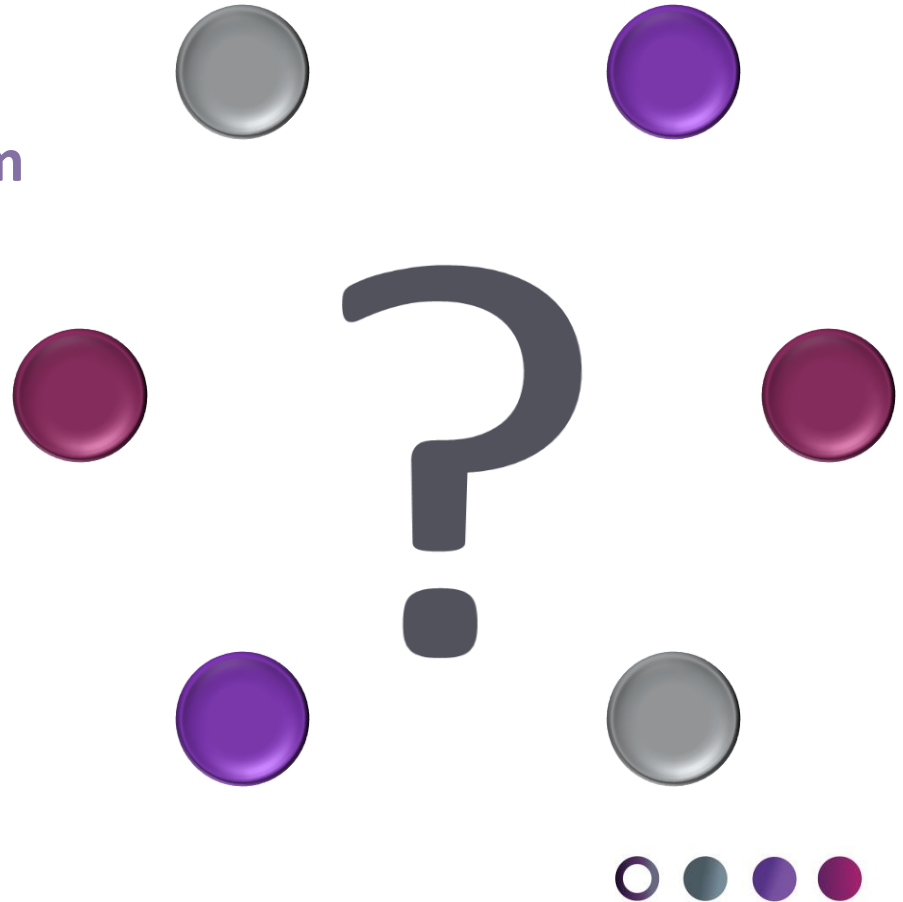




Questions?

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