



# The merger of competition and privacy regulation: Implications of the ACCC's Digital Platforms Inquiry on privacy reform

**Australian Information Security Association**

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## About us

Privcore's team with 40 years' combined experience helps business and government **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

Audit and privacy health checks

Privacy by design

Privacy management frameworks

Algorithmic impact assessments

Privacy maturity models

Training or presentations

Privacy or related research

APEC Cross Border Privacy Rules



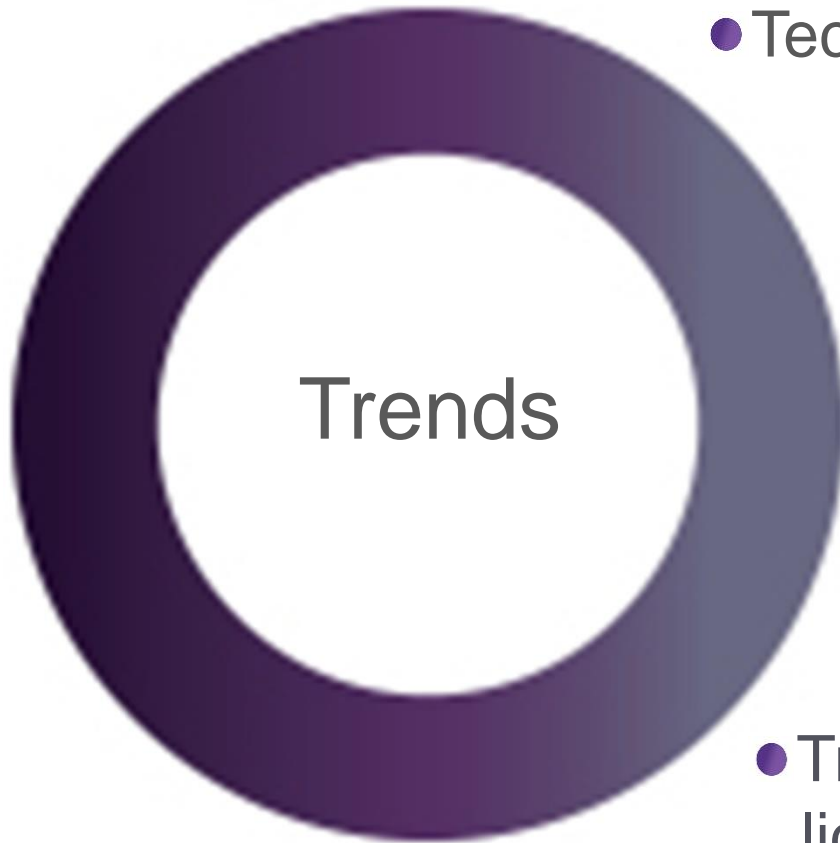
**Making privacy core business**

- The privacy backdrop
- The merger of competition, consumer and privacy regulation
- Why did the ACCC commence the Digital Platforms Inquiry and who is impacted?
- Key privacy issues and recommendations raised in the Digital Platforms Inquiry – **current state v future state**
- Next steps – government response and draft amendments to the Privacy Act
- Resources and questions



# The privacy backdrop

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





# Technology advances

- Increasing ability to capture and store massive amounts of data - cloud
- Increase in networked computing processing power
- Better algorithms



# Mass data collection and customisation

Misleading  
collection and use  
of location  
information for  
unrelated purposes

Inappropriate  
disclosure and  
use of personal  
information for  
political purposes

Collection of  
viewers' TV  
habits to sell  
to advertisers

NOVEMBER 22 2017

## Thousands of Australians affected by Uber hack cover-up



Ben Grubb

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Hundreds of thousands of Australian Uber ride drivers have been caught up in the breach that concealed for more than a year.

It comes as The New York Times reported on 1 only did Uber conceal the breach, but it paid ti quiet and disguised the payment as a reward.

# Did Marriott bloat Australia's official data breach numbers?

By Julian Bajkowski  
May 13 2019  
3:43PM

1 Comment

## New +10 million Aussie victims increment launched.

The gargantuan Marriott customer data hack that hit around 500 million people globally at the end of 2018



## BA faces £183m fine over passenger data breach

ICO says personal data of 500,000 customers was stolen from website and mobile app

## How to Protect Yourself After the Equifax Breach

By RON LIEBER UPDATED October 16, 2017

The credit reporting agency said the information of more than 145 million Americans had been compromised.

RELATED ARTICLE





# Trust decline and lack of social licence



# 2019 EDELMAN TRUST BAROMETER

JANUARY 20, 2019





# Merger of competition and privacy regulation

Not all jurisdictions have privacy legislation

Traditional approaches to merger and acquisition regulation insufficient

Power and resources do not sit with the privacy regulator

Privacy is an interdisciplinary field

Merger of competition, consumer and privacy regulation





Preliminary report  
released Dec 2018 and  
Final report released  
July 2019

Why was the ACCC  
directed to commence  
the Inquiry?

Terms of Reference



# Digital Platforms Inquiry

Final Report

June 2019

# Resources



- A. Moens, [Submission: Consultation on the ACCC's Digital Platforms Inquiry Final Report](#), September 2019
- ACCC, [Digital Platforms Inquiry – Final Report](#), June 2019, released 26 July 2019
- A. Moens, [“The Digital Platform Inquiry is Catalysing Major Enforcement Changes to the Privacy Act”](#), Australian Institute of Company Directors Magazine, June 2019
- ACCC, [Digital Platforms Inquiry - Preliminary Report](#), 10 December 2018
- Data 61 and OAIC, [The De-identification Decision making framework](#), September 2017
- OAIC, [De-identification and the Privacy Act](#), March 2018





- Remaining slides withheld from web publication - contact [operations@privcore.com](mailto:operations@privcore.com) if this information is of interest to you.



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