



# Managing privacy risks in an evolving regulatory regime

**AISA NSW Branch Meeting**

20 February 2025

Sydney, Australia

**Annelies Moens**

Managing Director

Privcore





# Cybersecurity and privacy

“The cybersecurity industry is on a massive journey to uplift cybersecurity in organisations. The privacy practices in organisations are even less mature than cybersecurity practices, yet the effectiveness of many cybersecurity practices are dependent on getting privacy right.”

Annelies Moens, Privcore.



**Making privacy core business**



# Overview

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

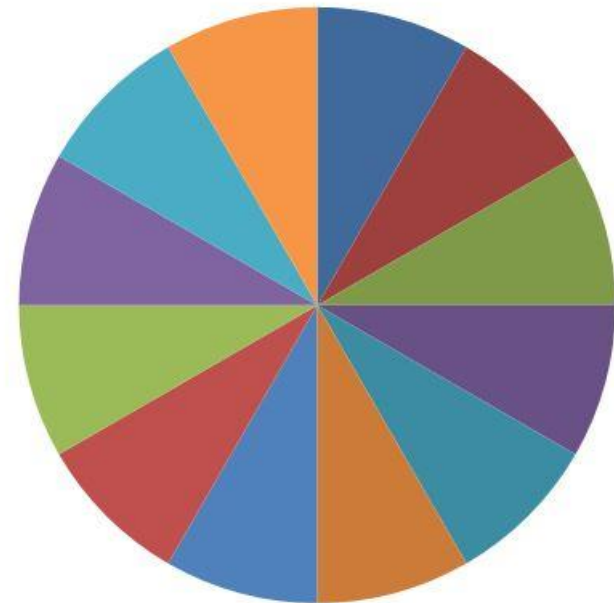


**Making privacy core business**



# 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

# Trends leading to increased regulation

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



**Making privacy core business**



Slides removed from web version.  
Contact [operations\[at\]privcore.com](mailto:operations@privcore.com) for further  
information.

**Making privacy core business**





Royal Assent:  
10 December 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
- 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
- Ministerial approved information sharing in emergency and data breach situations



**Making privacy core business**





## 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
- Federal government agencies and their contractors



**Making privacy core business**



Slides removed from web version.  
Contact [operations\[at\]privcore.com](mailto:operations@privcore.com) for further  
information.

**Making privacy core business**





## 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



**Making privacy core business**



## 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
- Develop privacy and security metrics
- Remember you cannot protect what you don't know you have



# Resources



- [Australia stops use of facial recognition in a retail setting](#), Privacy Laws & Business International Report, February 2025
- [Privacy and Other Legislation Amendment Bill 2024](#)
- [What makes a great Privacy Impact Assessment?](#) March 2024
- OAIC [APP Guidelines](#) December 2022
- OAIC [Notifiable data breaches report: Jan – June 2024](#), 16 September 2024
- Edelman [Trust Barometer](#), 2024

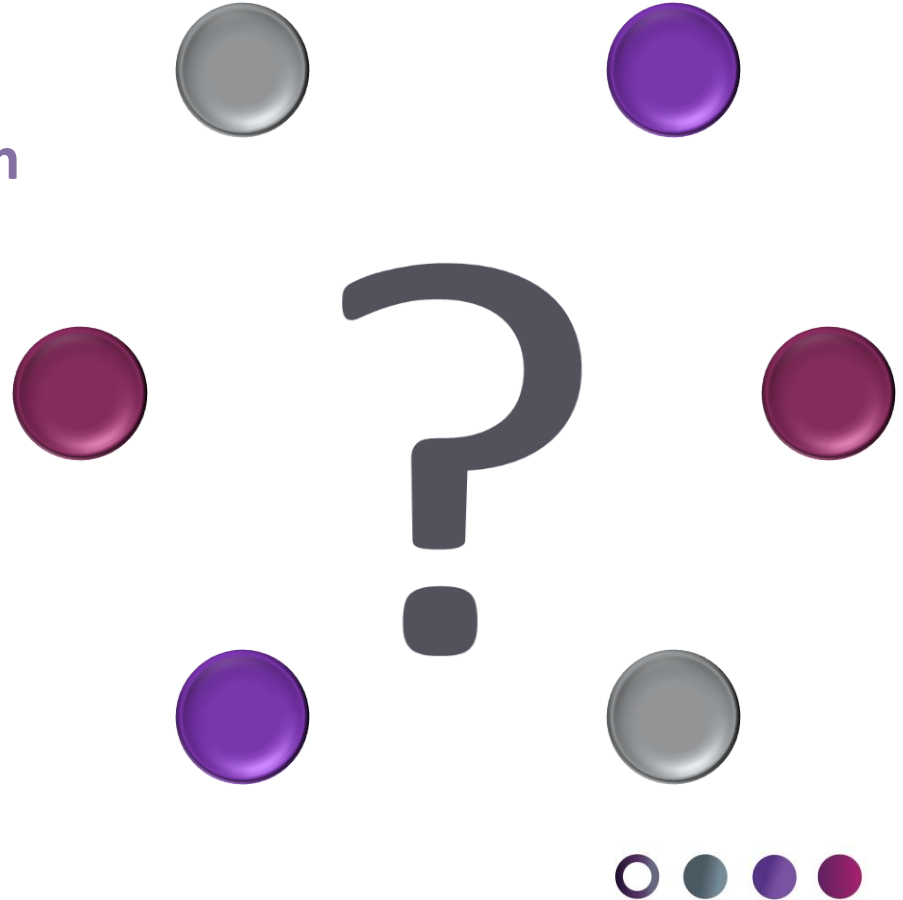




# Questions?

[operations\[at\]privcore.com](mailto:operations@privcore.com)

[www.privcore.com](http://www.privcore.com)



**Making privacy core business**