

Information Privacy and Other Legislation Amendment Bill 2023

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3 November 2023

Committee Secretary
Education, Employment and Training Committee
Parliament House
George Street
Brisbane QLD 4000

By email: eetc@parliament.qld.gov.au

Dear Committee Secretary,

**RE: CCC Submission – Information Privacy and Other Legislation
Amendment Bill 2023**

I refer to the Committee's invitation for submissions on the recently tabled *Information Privacy and Other Legislation Amendment Bill 2023* (Bill).

The CCC has particular interest in one aspect of the Bill – the inclusion of council controlled entities (CCEs) as public authorities within the jurisdiction of the *Right to Information Act 2009* (RTI Act) and related legislation.

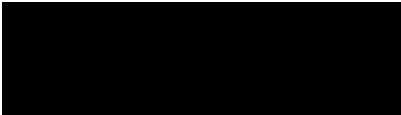
The CCC's 2018 report *Culture and corruption risks in local government Lessons from an investigation into Ipswich City Council (Operation Windage)* identified that CCEs are not subject to council policies, procedures and governance and are not units of public administration within the jurisdiction of the CCC. The report recommended that CCEs should be units of public administration and public authorities, bringing them within the oversight of the CCC and also making them subject to the *Right to Information Act* (RTI Act) and *Public Records Act* (PR Act).

The CCC recently made a related submission to the Community Support and Services Committee endorsing the treatment of CCEs in the recently tabled *Public Records Bill 2023* where CCEs are included in the definition of public authority.

The CCC notes there is a different approach to the treatment of CCEs in the *Information Privacy and Other Legislation Amendment Bill 2023*, whereby a CCE may be declared to be a public authority by RTI regulation in certain circumstances. It is submitted that a definitional inclusion of CCEs consistent with the approach in the *Public Records Bill 2023* would be appropriate to avoid any inconsistency of treatment between the legislation governing public records and the legislation governing access to information in public records.

The CCC submits that consideration should also be given to whether CCEs which are prescribed or defined as a public authority will consequently be units of public administration within the operation of the *Crime and Corruption Act 2001*. The CCC would support legislative amendment to include CCEs as units of public administration within its jurisdiction.

Yours sincerely



Bruce Barbour
Chairperson