



Office of the Information Commissioner
Queensland

Level 8
Forestry House
160 Mary Street
Brisbane Q 4000

PO Box 10143
Adelaide Street
Brisbane Q 4000

Phone (07) 3405 1111
Fax (07) 3405 1122
www.oic.qld.gov.au

ABN: 70 810 284 665

Your Ref: 11.1.3.c

LAPCSESC
Civil Proceedings
Submission 003

12 October 2011

Hon Dean Wells MP
Acting Chair
Legal Affairs, Police, Corrective Services
and Emergency Services Committee
Parliament House
George Street
BRISBANE QLD 4000

Dear Acting Chair

Civil Proceedings Bill 2011 – call for submissions

Thank you for your letter dated 15 September 2011 calling for submissions regarding the Civil Proceedings Bill 2011 currently being considered by the Committee.

Clauses 230 to 233 and 241 to 243 of the Bill resolve concerns raised by this Office with the Department of Justice and Attorney-General. The amendments relate to leave applications for statutory office holders under the *Information Privacy Act 2009* and the *Right to Information Act 2009* and the provision of personal information by Queensland government agencies to agencies in other jurisdictions for law enforcement purposes. The amendments satisfactorily address the issues raised.

The amendment in clause 244 of the Bill omits Tarong Energy Corporation Ltd from a list of entities to which the *Right to Information Act 2009* does not apply in relation to particular functions. I note that this omission arises as a result of that corporation becoming a fully owned subsidiary of Stanwell Corporation Ltd on 1 July 2011. Stanwell Corporation Ltd continues to appear on the list of entities.

Clause 235 amends the *Justices of the Peace and Commissioners for Declarations Act 1991* to enable Justice of the Peace and Commissioners for Declarations to record information in proof of identity documents, including by taking copies of them. This Office acknowledges the genuine purpose of ensuring the integrity of affidavits and attestations as well as the protections regarding use and storage of the information set out in the clause. Given these considerations, this Office has no concerns with this amendment.

Thank you for the opportunity to make submissions to the Committee regarding the Bill.

Yours sincerely

Julie Kinross
Information Commissioner