




Speech By
Cynthia Lui

MEMBER FOR COOK

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**INFORMATION PRIVACY AND OTHER LEGISLATION AMENDMENT BILL;
PUBLIC RECORDS BILL**

 **Ms LUI** (Cook—ALP) (4.51 pm): I rise today to speak on the inquiry into the Information Privacy and Other Legislation Amendment Bill 2023 and the Public Records Bill 2023. These are two very important bills brought before the House relating to the way information is protected and maintained in this state.

We live in a day and age where we have access to a wide range of information every day and, if anything, there is no escaping information. Information is part of everything we do. It is there to guide and help navigate us through life. There is a clear distinction between both of these bills in how we protect and preserve information. It is equally important that we have the right mechanisms in place that would ultimately increase public confidence and trust.

I will first turn my attention to the inquiry into the Information Privacy and Other Legislation Amendment Bill 2023. The primary objectives of the bill are to: strengthen Queensland's information privacy framework to better protect personal information and improve responses and remedies for data breaches and data misuse; clarify and improve the operation of Queensland's information privacy and right to information frameworks; and provide for the proactive release of cabinet documents. Most of the amendments proposed in the bill relate to the Information Privacy Act 2009 and the Right to Information Act 2009.

The major changes the bill proposes include the following seven parts: aligning the definition of 'personal information' in the IP Act with the equivalent federal act; adopting a single set of privacy principles—the Queensland privacy principles—based on the equivalent federal principles; establishing a mandatory data breach notification scheme for government agencies; enhancing the powers and functions of the Information Commissioner; improving the process for making and dealing with RTI applications under the RTI Act and the process for making privacy complaints under the IP Act; clarifying the definition of 'public authority' and thus the scope of the IP and RTI acts; and facilitating the introduction of a proactive release scheme for cabinet documents by ensuring that certain information and documents will remain exempt from the scheme and, therefore, public release; providing ministers with protection from civil liability; and protecting public interest immunity. The bill also proposes amendments to section 408E of the Criminal Code to remove the reference to 'hacking' in the offence title to clarify the type of conduct captured by the offence.

In relation to the Public Records Bill 2023, the bill would replace the Public Records Act 2002 and implement public record-keeping legislation more suited to contemporary technology, community expectations and cultural attitudes. To achieve this, the bill proposes requirements for making, maintaining and storing public records. The bill also proposes to recognise the importance of First Nations peoples' knowledge and history and the sensitive nature of their public records. If passed, the bill would provide principles for public records relating to Aboriginal and Torres Strait Islander peoples, establish a First Nations Advisory Group to work with State Archives and ensure membership of the Public Records Review Committee includes at least one Aboriginal person and one Torres Strait

Islander person. The bill also proposes to increase the independence of the State Archivist, enable the State Archivist to issue standards by regulation, investigate compliance and extend restricted access periods for public records.

As a member of the Community Support and Services Committee, I want to acknowledge and thank all those who sent through their submissions on the Public Records Bill, all the witnesses who gave up their valuable time to make a contribution to this legislative reform, as well as briefing materials from the Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities and the Arts, and the State Archivist. I want to acknowledge and thank the Attorney-General, Yvette D'Ath, and the Minister for Treaty, Minister for Aboriginal and Torres Strait Islander Partnerships, Minister for Communities and Minister for the Arts, Leeanne Enoch. I also want to acknowledge the work of and thank the Education, Employment and Training Committee and the Community Support and Services Committee who took carriage in the examination of both bills, both committee chairs, members of the committees, the committee secretariats and Hansard for their work. I commend the bill to the House.