

Privacy policy – Australian Privacy Principles



Effective date: November 2019

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1. PURPOSE

- 1.1. The purpose of this privacy policy is to:
- (a) clearly communicate how the FRDC handles personal information
 - (b) enhance the transparency of the FRDC's operations
 - (c) give individuals a better and more complete understanding of the sort of personal information that the FRDC holds, and the way we handle that information
- 1.2. The [Privacy Act 1988](#) sets the minimum standards we have to meet when handling personal information, as an Australian Government agency. "Personal information" is defined in the Privacy Act as:
- "information or an opinion about an identified individual, or an individual who is reasonably identifiable:
- (a) whether the information or opinion is true or not; and
 - (b) whether the information or opinion is recorded in a material form or not."

1.3. The Privacy Act contains 13 [Australian Privacy Principles](#) (APPs). The APPs:

 - (a) set out legally binding standards for handling personal information
 - (b) regulate how we collect, store, use and disclose personal information
 - (c) allow people to access the information that we keep about them, and
 - (d) allow people to correct or update their information.

1.4. The APPs are contained in Schedule 1 of the Privacy Act.

1.5. We may review and update this privacy policy from time to time, to take account of new laws or technology, or changes to our functions, operations and practices. The APP privacy policy was last reviewed in August 2019.

1.6. This APP privacy policy is published on the FRDC's [website](#), at [https://frdc.com.au/About/Privacy-policy]. The FRDC will also provide you with a copy of the policy in another form, if it is reasonable to do so. If you would like a copy of this policy in another form, please contact the Privacy Officer using the contact details at the end of this policy.

2. RESPONSIBILITY

Responsibility for this policy resides with the General Manager, Business.

3. DEFINITIONS

Definitions - follow link to [Definitions](#)

Acronyms – follow link to [Acronyms and Abbreviations](#)

4. RISK CATEGORY

This policy covers the following risk categories:

Strategic	Reputational	Financial	Service Delivery	Operational	People	Governance
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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5. RELEVANT DOCUMENTATION

Relevant documentation
Internal
Code of conduct policy
Employees policy
Financial statements procedure
Payments processing procedure
Risk policy
Risk Register
External
Archives Act 1983
Australian Privacy Principles
Fisheries Research and Development Corporation Regulations 1991
National Archives of Australia - Administrative Functions Disposal Authority
Privacy Act 1988
Primary Industries Research and Development Act 1989
Public Governance, Performance and Accountability Act 2013

6. PUBLICATION

FRDC Website	Yes	Directors' website	Yes
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7. POLICY

7.1. What kinds of personal information does the FRDC collect and hold?

Collection of solicited information

The FRDC will only collect personal information for purposes which are reasonably necessary for or directly related to its functions or activities under the [Primary Industries Research and Development Act 1989](#) (PIRD Act) and the [Fisheries Research and Development Corporations Regulations 1991](#) (FRDC Regulations), and only when it is necessary for or directly related to such purposes. The FRDC also collect personal information related to human resource management and other corporate service functions.

The FRDC currently collects and holds the classes of personal information described in Attachment 1. Attachment 1 describes, in respect of each class of personal information collected:

- the purpose for which we collect, hold, use and disclose the information
- the details we collect, including any sensitive content
- the FRDC staff that have access to the information
- whether the information is usually disclosed to any third parties, and
- how the FRDC holds the records containing the information.

Certain information the FRDC collects is "sensitive information" as defined in the Privacy Act. The FRDC generally only collects and holds sensitive information about an individual with the consent of the relevant individual. However, there are certain circumstances where the FRDC is authorised to collect and hold sensitive information

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without the consent of the individual concerned, as described in APP 3.4. These include where the collection:

- a) is required or authorised under law
- b) will prevent or lessen a serious threat to somebody's life or health, or assist in the location of a missing person
- c) is reasonably necessary to allow us to take appropriate action when we suspect unlawful activity or misconduct of a serious nature that relates to our functions or activities
- d) is reasonably necessary to establish, exercise or defend a legal or equitable claim or for the purposes of a confidential alternative dispute resolution process, or
- e) is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of public revenue.

Collection of unsolicited information

The FRDC is occasionally provided with personal information which it has not requested or solicited. Where this occurs, the FRDC will comply with the requirements regarding dealing with unsolicited personal information set out in APP 4.

7.2. How does the FRDC collect and hold personal information?

Collection of personal information

The FRDC only collects personal information by lawful and fair means.

These include:

- a) when an individual or organisation submits an application for funding for the purposes of a particular R&D project, or for an award or scholarship offered by the FRDC
- b) when people subscribe to be on an email or mailing list so that the FRDC can send them information about the fishing industry (such as the Fish Magazine)
- c) when the FRDC acquires mailing lists from State or Territory authorities who are responsible for granting fishing licenses, to enable the FRDC to send information to those individuals regarding the fishing industry
- d) when individuals submit information to the FRDC to include in FRDC publications, or in the FRDC's social media (such as the Fishfiles All Access YouTube channel)
- e) when an individual provides information to us in connection with a job application or their employment
- f) when an individual completes security forms required in connection with their employment
- g) from contractors or suppliers who are working with us, and
- h) from individuals writing to us or contacting us, including in connection with freedom of information applications.

Where reasonable and practical, the FRDC usually collects the personal information about you directly from you. However, the FRDC may also collect personal information from someone other than you if you consent, or if the FRDC is required or authorised to do so under an Australian law or a court or tribunal order.

At or before the time the FRDC collects personal information about you, or as soon as practicable after collection, the FRDC will take reasonable steps to notify you or otherwise ensure that you are aware of the matters which are required by APP 5, including:

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- a) the details of the relevant law under which the collection is required or authorised (if any)
- b) if the FRDC collects personal information about you from another source, the fact that we have collected the information and the circumstances of the collection
- c) the main consequences (if any) for you if we do not collect the personal information, and
- d) the fact that the FRDC's APP privacy policy contains other information, including on how you can seek to access and correct your personal information, or make a complaint about a breach of the APPs.

The matters which are required by APP 5 are mainly addressed in this APP privacy policy (including Attachment 1). Accordingly, generally the FRDC's notification under APP 5 will be through cross-references to this APP privacy policy.

If you provide the FRDC with personal information about someone other than yourself (for example, referee details in an application for employment with the FRDC), you should notify the relevant individual:

- a) that you have provided the personal information to the FRDC;
- b) the purposes for which you provided the information;
- c) that the FRDC will manage the personal information in accordance with its APP privacy policy, which is available on the FRDC's website.

Holding of personal information

The FRDC holds all our records in accordance with the provisions of the [Archives Act 1983](#) (Cth) (Archives Act). Attachment 1 describes how the FRDC holds each class of personal information it currently collects, including the format and location of the relevant records.

The FRDC will take reasonable steps to protect the personal information that it holds from misuse, interference and loss, and from unauthorised access, modification or disclosure. This includes appropriate measures to protect electronic materials and materials stored and generated in hard copy.

Destruction and de-identification of personal information

Personal information which the FRDC collects and holds is generally either contained in a Commonwealth record (as defined in the Archives Act) or required to be retained by or under an Australian law. The FRDC manages Commonwealth records (including those that contain personal information) in accordance with the [Archives Act](#), the [Administrative Functions Disposal Authority](#), the [FRDC Records Authority](#), and any other relevant Records Disposal Authority.

What are the purposes for which the FRDC collects, holds, uses and discloses personal information?

The FRDC may collect, hold, use and disclose personal information for the purposes of performing its functions and activities under the PIRD Act and FRDC Regulations. Attachment 1 identifies the specific purpose of collection of each class of personal information which the FRDC currently holds.

Where the FRDC holds personal information about you that was collected for a particular purpose, the FRDC will not use or disclose the information for another purpose unless:

- a) you have consented to the use or disclose of the information, or

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- b) the use or disclosure falls within one of the specific exceptions in APP 6.2. This may occur, for example, where the use or disclosure:
- (i) is for a purpose which is directly related to our original purpose of collection, and which you would reasonably expect us to use or disclose the information for;
 - (ii) is required or authorised by or under Australian law
 - (iii) will prevent or lessen a serious threat to somebody's life or health, or assist in the location of a missing person
 - (iv) is reasonably necessary to allow us to take appropriate action when we suspect unlawful activity or misconduct of a serious nature that relates to our functions or activities
 - (v) is reasonably necessary for establishing, exercising or defending a legal or equitable claim
 - (vi) is reasonably necessary for the purposes of a confidential alternative dispute resolution process, or
 - (vii) is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of public revenue.

How can you access and correct personal information that the FRDC holds?

The FRDC wishes to ensure that personal information that it collects, uses or discloses is accurate, up-to-date and complete.

If the FRDC is satisfied that personal information it holds is inaccurate, out of date, incomplete, irrelevant or misleading, it will take reasonable steps to correct that information. If you become aware that any of the personal information which the FRDC holds about you may be out of date, please let the FRDC know.

You can request access at any time to the personal information the FRDC holds about you, and may ask us to either correct the information or include a statement indicating that the information is inaccurate, out of date, incomplete, irrelevant or misleading. To do so, please contact the FRDC’s Privacy Officer.

The FRDC will respond to such a request within 30 days. The FRDC will not charge you for making the request, for giving you access to your personal information, for correcting your information or for associating a statement with your information about its accuracy.

The FRDC will give access to the information in the manner you request, if it is reasonable and practicable to do so.

However, there are situations where it may not be appropriate for the FRDC to provide you with access to information, for example where we are required or authorised to refuse to give access to the information under the FOI Act or other law.

If the FRDC cannot provide you with access to your personal information, correct your personal information, or include a statement with the information about its accuracy, the FRDC will give you a written notice setting out our reasons.

Will the FRDC send your personal information overseas?

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The FRDC is not likely to disclose personal information to a person who is not in Australia or an external Territory. If, at some point, disclosure to an overseas recipient becomes a possibility, we will comply with APP 8.

Privacy Impact Assessments

The department is committed to undertaking Privacy Impact Assessments (PIA) for high privacy risk projects.

The Privacy Code requires that PIAs are conducted for all high privacy risk projects.

Section 12(2) of the Privacy Code states that a project may be a high privacy risk project if the agency reasonably considers that the project involves any new or changed ways of handling personal information that are likely to have a significant impact on the privacy of individuals.

The FRDC maintains a public register of the PIAs it conducts which is available on the FRDC's website at <https://www.frdc.com.au/frdc-privacy-policy>.

What are the main consequences for you if the FRDC does not collect your personal information?

If the FRDC does not collect personal information from an individual for the purposes of performing one of our functions, we will not be in a position to undertake the relevant function with respect to the relevant individual or issue.

For example, if you choose not to provide the FRDC with personal details requested in an application form, the FRDC may not be able to properly assess your application. As another example, the FRDC may not be able to assess your application for employment if you do not provide relevant personal information in your application.

Can you deal with the FRDC anonymously?

You are free to make general enquiries or to subscribe for FRDC publications anonymously or using a pseudonym.

In other cases, your identity is typically relevant to the achievement of our purpose for collecting, using, holding or disclosing personal information. Most of the time, it is not likely to be practicable for the FRDC to deal with you if you have not identified yourself or have used a pseudonym. If you are concerned about not being able to deal with the FRDC anonymously, you could make an anonymous inquiry by contacting the Privacy Officer and explaining the circumstances.

What does the FRDC do to make sure that it complies with the Australian Privacy Principles?

The FRDC takes its privacy obligations very seriously, and is committed to meeting the highest standards when collecting, storing, using and disclosing personal information.

The FRDC has taken reasonable steps to implement practices, procedures and systems relating to its functions and activities to ensure that it complies with the APPs, including:

- a) requiring all FRDC staff to be adequately trained in our obligations under the APPs and this APP privacy policy
- b) ensuring that the FRDC's APP privacy policy is regularly reviewed and updated
- c) undertaking a program of privacy reviews to make sure that the FRDC's APP privacy policy is being fully implemented

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- d) maintaining an effective working relationship with the Office of the Australian Information Commissioner.

How can you make a complaint about a breach of the Australian Privacy Principles?

You may make a complaint to the FRDC if you consider that the FRDC has interfered with your privacy or otherwise breached its obligations under the APPs in relation to the management of your personal information.

- a) Any complaints should be in writing, providing as much detail as possible, and addressed to our Privacy Officer.
- b) The FRDC will take reasonable steps to investigate any complaint, and to notify you of the outcome of our investigation within 30 days.
- c) If the FRDC does not respond to the complaint within 30 days, or you are not satisfied with the outcome of our investigations, you can make a complaint directly to the Office of the Australian Information Commissioner (OAIC). Further details about how to make a complaint to the OAIC are available on the [OAIC's website](#).

How can you learn more about privacy?

The website of the Office of the Australian Information Commissioner contains further information about privacy, including the APPs, legislation and policies. The site address is: <http://www.oaic.gov.au/privacy/>.

How can you contact the FRDC's Privacy Officer?

You can contact the FRDC's Privacy Officer through any of the mechanisms set out below:

- a) telephone: +61 2 6285 0400
- b) e-mail: privacy@frdc.com.au
- c) post: Privacy Officer
Manager Corporate Services
Fisheries Research & Development Corporation
Locked Bag 222
DEAKIN WEST ACT 2600

8. ATTACHMENTS

#	Description
1	FRDC's website privacy statement

FRDC’s website privacy statement

FRDC Privacy Policy

The FRDC takes its privacy obligations very seriously, and is committed to meeting the highest standards when collecting, storing, using and disclosing personal information.

The FRDC manages personal information in accordance with the Privacy Act 1988, the Australian Privacy Principles, and the FRDC's APP Privacy Policy. The FRDC's APP Privacy Policy is available at [Privacy policy – Australian Privacy Principles](#).

The FRDC's APP Privacy Policy describes:

- the kinds of personal information that the FRDC collects and holds
- how the FRDC collects and holds personal information
- the purposes for which the FRDC collects, holds, uses and discloses personal information
- how an individual may access and seek the correction of personal information that is held by the FRDC
- how an individual may complain about a breach of the APPs by the FRDC, and how the FRDC will deal with such a complaint, and
- whether the FRDC is likely to disclose personal information to overseas recipients and, if so, the countries in which such recipients are likely to be located.

Information collected when you look at this website

The FRDC collects information that you choose to give us, for example your email address if you contact us.

If you visit the FRDC’s site to read or download information, the FRDC records the following information for statistical purposes:

- your server address and associated country
- your top level domain name (e.g. gov, .com, .edu, .org, .au, .nz etc)
- pages you accessed and the documents you downloaded
- search terms you used
- date and time you visited the site
- previous site you visited
- your operating system (e.g. Windows, Mac)
- type of browser you use (e.g. Internet Explorer).

Access to information collected when you look at this website

The FRDC will not attempt to identify non-web registered users or their browsing activities. However, in the unlikely event of an investigation, a law enforcement agency or other government agency may exercise its legal authority to inspect the FRDC’s Internet Service Provider's logs.

Individuals have the right to access their personal information, and the right to have that information corrected if it is inaccurate, incomplete or out-of-date. This can be done by contacting:

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- a) telephone: +61 2 6122 2100
- b) e-mail: privacy@frdc.com.au
- c) post: Privacy Officer
Fisheries Research & Development Corporation
Locked Bag 222
DEAKIN WEST ACT 2600

A response will be provided with 30 days.

Use of information collected when you look at this website

The FRDC only uses your personal information for the purposes for which you gave it to it and for the purpose of communicating about the FRDC's activities in relation to managing fisheries research, development and extension.

Your personal information will not be used or disclosed for any other purpose (including with other government agencies) without your consent, unless this is expressly authorised under the Australian Privacy Principles.

The FRDC analyses non-identifiable, aggregated website traffic data to help us improve the structure, functionality and content of this website. No attempt will be made to identify users or their browsing activities except, in the unlikely event of an investigation, where a law enforcement agency may exercise a warrant to inspect our logs.

Images and Names of Deceased People

Please be aware that this site may contain the names or images of deceased people. The FRDC strives to treat Indigenous culture and beliefs with respect. We acknowledge that to some communities, it is distressing and offensive to show images of people who have died.

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