

Privacy Amendment (Government Related Identifiers) Regulations 2017

I, General the Honourable Sir Peter Cosgrove AK MC (Ret’d), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 14 December 2017

Peter Cosgrove

Governor‑General

By His Excellency’s Command

George Brandis QC

Attorney‑General

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1 Name

 This instrument is the *Privacy Amendment (Government Related Identifiers) Regulations 2017*.

2 Commencement

 (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information |
| --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this instrument | The day after this instrument is registered. | 19 December 2017 |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

 (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

 This instrument is made under the *Privacy Act 1988.*

4 Schedules

 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Privacy Regulation 2013

1 At the end of Part 2

Add:

19 Exceptions to Australian Privacy Principles 9.1 and 9.2—MedsASSIST

Adoption, use and disclosure of MedsASSIST identifiers by GuildLink in operating or administering MedsASSIST

 (1) Subclause 9.3 of the Australian Privacy Principles applies in relation to the adoption, use or disclosure by GuildLink of a MedsASSIST identifier of an individual in the course of the operation or administration of MedsASSIST by GuildLink.

Use and disclosure of MedsASSIST identifiers by pharmacy operators in using MedsASSIST as clinical decision support tool

 (2) Subclause 9.3 of the Australian Privacy Principles applies in relation to the use or disclosure, by an organisation that operates a pharmacy, of a MedsASSIST identifier of an individual in the course of using or contributing to MedsASSIST as a clinical decision support tool.

Definitions

 (3) In this section:

***GuildLink*** means GuildLink Pty Limited ACN 090 249 960.

***MedsASSIST*** means the system operated by GuildLink for the purposes of monitoring the dispensing of medicines containing codeine to individuals, and informing and recording decisions about such dispensing.

***MedsASSIST identifier*** of an individual means an identifier that is included in one of the following documents issued to the individual:

 (a) a passport issued under the *Australian Passports Act 2005*;

 (b) a driver’s licence (however described) issued by a State or Territory authority;

 (c) a card that is:

 (i) issued by a State or Territory authority of a jurisdiction listed in column 1 of an item of the following table; and

 (ii) known by the description in column 2 of the item.

| Cards containing MedsASSIST identifiers |
| --- |
|  | Column 1Jurisdiction | Column 2Description of card |
| 1 | New South Wales | New South Wales Photo Card |
| 2 | Victoria | Proof of age card |
| 3 | Queensland | Adult proof of age card |
| 4 | Queensland | Photo identification card |
| 5 | Queensland | 18+ card |
| 6 | Western Australia | Western Australian Photo Card |
| 7 | South Australia | Proof of age card |
| 8 | Tasmania | Tasmanian Government personal information card |
| 9 | Australian Capital Territory | Proof of identity card |
| 10 | Northern Territory | Evidence of age (18 plus) card |

Repeal of this section

 (4) This section is repealed at the start of 1 February 2018.