

PRIVACY CASE NOTES

Contact addresses for serving documents - IPP 2

A number of requests were made for the contact details of persons for the purpose of serving notices to commence litigation. The Office provided advice that the organisations should consider the reason why the information was collected and held. In one case, contact details were provided by a person who agreed to be a statutory officer for an association. These details are required by the Registrar for business regulation and legal reasons, and the person was volunteering to be the public contact point for the association. There were strong arguments that releasing the contact details would be a reasonable interference with the statutory officer's privacy.

In another case, the information was held because the person had been charged with a criminal offence. In that case, the information was not collected with the individual's consent, and was held for the purpose of criminal prosecution. This meant there were strong arguments that releasing the information would be an unreasonable interference with the person's privacy. The courts have other mechanisms such as substituted service which a person wishing to commence litigation can access.