

PRIVACY CASE NOTES

Contract service providers and Privacy - s.5, IPP 1, IPP 2, IPP 10

The Complainant alleged that an organisation had breached the Information Privacy Principles (IPPs) in the way it handled her personal information. The organisation was contracted by a Government Agency to carry out certain government services.

The organisation argued that it was not subject to the IPPs and it had a privacy policy that stated it was not subject to the freedom of information provisions of the *Information Act*.

The decision maker confirmed that the *Information Act* applies to contract service providers in respect of the services they provide to an NT government organisation.

The decision maker looked at the agreement between the organisation and the Agency. The contract detailed service outcomes and data collection and reporting that was required to be undertaken by that organisation. The kind of data the organisation was required to collect specifically involved handling sensitive personal information.

The decision maker was of the view that the *Information Act* applied to the organisation when it was delivering the services it was contracted to deliver under the agreement with the Agency. In particular, it was subject to the IPPs when collecting and handling personal information.