
Privacy Law In Australia As A Way To Protect People

Introduction

Privacy is the right of people to keep their personal data or other related matter and relationship secret from other. Privacy is a broad, abstract and unclear concept which can be easily shortened in meaning but which can also, on the other hand, easily be understood as a constitutional ban against many things. It always includes and refers to sovereignty and dignity. Privacy is important in terms of different perspectives.

Philosophically, people are regarded as being very important for their own sake. The concepts of human dignity and integrity play important role in some countries while in some tradition and jurisdictions, these are the ideas that highlight the nation and significance of human rights.

Psychologically, people need private space. We need to be able to look around, judge whether the people in the locality are a danger, and then perform actions that are potentially embarrassing, such as breaking wind, and jumping for joy.

Sociologically, people need to be free to behave and associate with others, subject to broad social mores, but without the continual threat of being observed. Otherwise we reduce ourselves to the appalling, inhuman, unnatural context that was imposed on people in countries behind the Iron Screen and the bamboo Screen.

Economically, people need to be free to innovate, International competition is intense and countries with high labour-costs need to be continually reinvented. All innovators are by definition different from the norms of the time, and they are both at risks and perceive themselves to be at risk if they lack private space in which to experiment.

Politically, people need to be free to think, and argue and act. Surveillance chills behavior and speech and undermines democracy.

In Australia the practical or operative approach tends to dominate the philosophical. Of the four bases on which it can be argued that privacy is needed the most dominant in discussion tends to be the psychological perspective. Privacy-invasions are seriously harmful to the societies, economics and politics in which human have succeeded. Balances must be required and privacy protection must be planned with that in mind.

LAW VS ACT

Law is very wider and broader term, which includes Acts, notifications, Government orders and many more. Law is simply a word, which is easily understood by every people. Law is the rules and regulation that are made and set up by social institution to control behavior.

While, Act is a specific term, which is used for collected set of rules and regulations passed by parliament. Act is officially called as bill. An act officially becomes law when a legislature votes for a bill. Act is a piece of legislation that is more certain and operates to particular conditions

and particular people. By these we can say that act is more specific and law is universal. Until and unless an act is passed by the parliament, it cannot be considered as law and cannot become a law. But Law is always considered as law because it is something that is already maintained and established.

Privacy law can be defined as the regulation or law that protect someone right to rule by himself or herself and manages collection, storage, and issue of his or her financial, medical, and other personal information. In Australia there are number of statutory schemes or provision that confer unreliable degrees of protection to privacy interests across the nine jurisdictions. The nine jurisdictions are including six separate states: New South Wales, Victoria, Queensland, Western Australia, South Australia, Tasmania and two Australian Territories Northern Territory and Australian Capital Territory and the final is Australian Commonwealth Government. At the federal level, the main statute dealing with privacy is the privacy act 1988.

The first privacy commissioner was appointed in 1989. The role of privacy commissioner sat with the Australian human rights commission until the 2000 when an independent office of the privacy commissioner was established. With the establishment of the office of the Australian information commissioner (OAIC) in 2010, this role of privacy commissioner was merged into the new office. The Australian information commissioner, supported by the staff of the office of the Australian information commissioner is responsible for administering the privacy act 1988.

The Privacy Act 1988

The Privacy Act 1988 (Privacy Act) was passed by the Australian Parliament at the end of 1988 and commenced in 1989. The privacy act gave the effect to Australia's agreement to implement the Organization for economic cooperation and development (OECD) Guidelines for the protection of privacy and transborder flows of personal data, as well as to its obligations under Article 17 of the international covenant on civil and political rights. Under Article 17 it includes:

- No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour or reputation.
- Everyone has the right to protection of the law against such interference or attacks.

Initially the privacy act had two objectives:

- Protect personal information in the possession of Australian Government agencies- the privacy act includes eleven information privacy principles, which were based on OECD guidelines and set out standards in relation to Australian Government agencies collecting, storing, using and disclosing, providing access to and correcting personal information.
- Implement safeguard for the collection and use of tax file number- the privacy act includes the Interim Tax file Number Guidelines, which regulates the handling of tax file numbers.

The privacy act 1988 controls the collection, expose and use of personal and private information.

Expanding the coverage of the privacy act

1991 – Credit reporting: The privacy amendment act 1990, which was commenced on 24 September 1991 first introduced privacy act controlling the behavior of consumer credit report by broadcasting the credit agencies and credit providers.

1994- Australian Capital Territory:

Conclusion

Yes there are laws and laws are to protect each and every ones privacy but in fact the opposite things happens as we devour the private secrets of hundreds of people each and every day. Yes we all do respect and value the privacy, but not as much as we hunger to know about the things. Privacy is right of people to keep their data and information secret from other. Different laws are implemented to keep protect and maintain the privacy.

edubirdie.com