



# media release

FROM THE OFFICE OF THE VICTORIAN PRIVACY COMMISSIONER

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## Smartcard Privacy Checklist released by Victorian Privacy Commissioner

The Victorian Privacy Commissioner, Paul Chadwick, today released a checklist for assessing the privacy implications of the Federal Government's proposed smartcard.

'The checklist contains the basic questions that every member of the public should persistently ask and any government should satisfactorily answer,' Mr Chadwick said.

'As details of the smartcard scheme emerge and public understanding grows, further questions are likely to require more detailed answers. Transparency is part of earning legitimacy and trust for such far-reaching change. When government bureaucracy proposes to increase its power over individuals in this way, the first safeguard is plain language and openness.'

Building and administering a smartcard scheme is likely to mean substantial databases of personal information and/or the linking of substantial datasets that federal and state governments already hold about much of the population. (A national register is integral to the identity card scheme recently legislated in the UK.)

Australia's privacy laws developed out of the Australia Card proposal in the 1980s, which resulted in the compromise of a tax file number, strict limits on its uses, and data-matching legislation. Up-to-date privacy safeguards are even more necessary now because of changes since the Eighties, including –

- **new technologies** that make collecting, storing, sifting, matching, linking and sharing data easier and faster. For example, large collections of photos can be linked to surveillance camera networks and software to recognise and track individuals
- **new powers** for information gathering given to government agencies by parliaments concerned about crime and terrorism
- **new information**, for example, data extracted from human DNA to determine or predict parentage, health and ethnicity. Data is now routinely generated about the users of mobile phones, tollways, GPS- equipped vehicles and RFID-tagged products.

All this inevitably involves weighing benefits and risks, facilitating informed debate, crafting careful checks and balances, and encouraging periodic review.

Any government that wants to issue a unique identification number to most of the population and then to compile and link information about them using increasingly powerful technology bears a heavy onus to justify its case. Satisfactory answers to the questions in the checklist would be a start.

PAUL CHADWICK  
Victorian Privacy Commissioner

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For further information contact David Taylor on 03 8619 8735.

# Smartcard Privacy Checklist

20 questions for the public to ask persistently and for governments to answer satisfactorily about a government-issued smartcard that most Australians would need to have

## The information

- 1 What information about me will be on my card?
  - what will be visible on the card?
  - what will be on the microchip?
- 2 What information about me will be on the supporting databases or linked to them?
- 3 What information will be compulsorily on the card and databases?
- 4 What information will be there only if I choose?
- 5 Who will decide what other information will be gradually added over time -
  - me, by choice?
  - Parliament, by passing specific legislation each time?
  - Ministers/public servants, by using general powers?

## The purposes

- 6 Who will have access to the information about me on my card or in the databases?
  - which parts of government?
  - which businesses?
- 7 What will they be allowed to do with my information?
  - eg will the photo collection be made available to police or any other authorities?
  - eg any medical research, taxation or border control activities?
- 8 What will they be prohibited from doing?
  - eg demand my card before I can vote?
  - eg link my data to the data about my relatives or associates?
  - eg connect the smartcard scheme with Census data in any way?
- 9 Will the unique number on my card be allowed to be used to match my information with other information about me held by the federal government, state/territory/local government, or private organisations?
- 10 If so, by whom and for what purposes?

## The safeguards

- 11 How will they know that the information they already hold about me is accurate to start with?
- 12 How will they keep information about me accurate?
- 13 How will they keep information about me secure?
- 14 Will I have the right to see and correct my information?
- 15 If something goes wrong and my personal information is at risk, will I be notified so that I can take steps to protect myself?
- 16 If my card is lost or stolen, how will I still be able to deal with government while the card is being replaced?
- 17 On what grounds could they withdraw or cancel my card against my will?
- 18 Who will independently oversee the smartcard scheme?
- 19 What powers and resources will the oversight body have and how can Parliament ensure its independence?
- 20 How often will the smartcard scheme and the oversight body be periodically and openly reviewed by Parliament to help ensure that I can trust government to collect and handle my personal information according to adequate standards?



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