

**HEALTH INFORMATION PRIVACY CODE 1994  
AMENDMENT NO. 9**

**1. Title**

This amendment is referred to as the Health Information Privacy Code 1994 Amendment No. 9.

**2. Commencement**

This amendment will come into force on 28 September 2017.

**3. Amendment to Rule 11 (Limits on disclosure of Health Information)**

Rule 11(2) is amended in the following manner:

**Insert** : as subclause (da)  
the disclosure of the information is necessary to enable an intelligence and security agency to perform any of its functions;

**TELECOMMUNICATIONS INFORMATION PRIVACY CODE 2003  
AMENDMENT NO. 6**

**1. Title**

This amendment is referred to as the Telecommunications Information Privacy Code 2003 Amendment No. 6.

**2. Commencement**

This amendment will come into force on 28 September 2017.

**3. Amendment to Rule 11 (Limits on disclosure of Telecommunications Information)**

Rule 11(1) is amended by inserting the following clause

**Insert**                   :                   as subclause (1)(ga)  
that the disclosure of the information is necessary to enable an  
intelligence and security agency to perform any of its functions;

PROPOSED

**CREDIT REPORTING PRIVACY CODE 2004  
AMENDMENT NO. 11**

**1. Title**

This amendment is referred to as the Credit Reporting Privacy Code 2004 Amendment No. 11.

**2. Commencement**

This amendment will come into force on 28 September 2017.

**3. Amendment to Clause 5 – Interpretation**

Clause 5 is amended in the following manner:

**Insert** : **access agreement** means a written agreement between an intelligence and security agency and a credit reporter providing access to credit information to enable the intelligence and security agency to perform security clearance assessments.

*Note: For access agreement requirements see rule 11(1) and Schedule 3A.*

**security clearance assessment** has the same meaning as in section 220 of the Intelligence and Security Act 2017

**4. Amendment to Rule 11 (Limits on Disclosure of Credit Information)**

Rule 11 is amended in the following manner:

**Insert** : as sub-clause (1)(ca)

that the disclosure of the information is necessary to enable an intelligence and security agency to perform any of its functions;

**Insert** : as sub-clause (1)(cb)

in accordance with an access agreement.

Rule 11(2A) is amended in the following manner:

**Insert** : “(1)(ca),(cb),” after the word “subrules”

Rule 11(3) is amended in the following manner:

**Insert** : the words “or by an intelligence and security agency in accordance with an access agreement” after the word “supplied by a subscriber”

## 5. New Schedule 3A

**Insert** : as new Schedule 3A

### Access agreement

An access agreement must include provisions imposing the following obligations on the intelligence and security agency:

#### Access to credit information by agency

1. The intelligence and security agency must co-operate with all reasonable compliance checks conducted by the credit reporter.

#### Steps to safeguard credit information by agency

2. The intelligence and security agency must take appropriate measures, including the following, to safeguard credit information accessed under the access agreement against improper access:
  - (a) Develop written policies and procedures to be followed by its employees, agents and contractors;
  - (b) Establish controls, including:
    - i. The use of passwords, credential tokens or other mechanisms; and
    - ii. User identification
  - (c) Provide information and training to ensure compliance with the policies and controls;
  - (d) Monitor usage and regularly check compliance with the policies and controls; and
  - (e) Take appropriate action in relation to identified breaches of the policies and controls.

#### Agency to cooperate with credit reporter’s systematic reviews

3. The intelligence and security agency must promptly co-operate with the credit provider in its efforts to undertake a systematic review of the effectiveness of the policies, procedures and controls in place under this Schedule.

**6. Amendment to Schedule 4 (Summary of Rights)**

- Insert** : under heading 'Only certain people can access your report for certain purposes', following the words 'available to'
- an intelligence and security agency that is conducting a security clearance assessment;

**7. Amendment to Schedule 6 (Assurance Reports)**

- Delete** : the word 'and' at the end of subclause (3)(j)
- Insert** : the word 'and' at the end of subclause (3)(k)
- Insert** : as subclause (3)(l)  
the intelligence and security agencies complied with any access agreements and controls.

PROPOSED