

SAMPLE

**Data Analytics  
Teach Yourself Series  
Topic 8: Networks and Cybersecurity Units 2,4**

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## CASE STUDY



All Teach Yourself Series in this package will refer to the following case study.

Marie Banks has a plant nursery and she needs a system to keep track of all her clients who she supplies with plants. Many of her clients are landscape gardeners. She wants to use a tablet to access her data because she is often outside. (U3O1 & U4O2 SAC Questions)

She is new to the area and wants to know what plants best suit the region and will investigate weather data to determine what plants to recommend to clients. Marie wants to produce a visualization that can inform her clients about the best plants for the region. (SAT Investigation topic)



Image from <https://www.pexels.com> with permission

# Legislation

## Privacy Act 1988

The main points of the act include:

- Only collect information that is necessary.
- Only use information for the purpose it was intended.
- Do not disclose information to a third party for any purpose other than what it was intended.
- Individuals may have access and opportunity to correct information held about them.
- The organisation must have a privacy policy that is available to be viewed by the public.
- The organisation must take steps to ensure the quality and security of the information.

This is a federal law, covering all states and territories in Australia.

Organisations covered by this act include:

- Commonwealth government departments.
- ACT government agencies.
- Private organisations which fall into any of the following categories
  - turnover at least \$3 million per year OR
  - holds information about an individual's health OR
  - buys or sells personal information for profit OR
  - contracted to provide a service to the Commonwealth

## Privacy and Data Protection Act 2014

This legislation was introduced and passed into Parliament in 2014 and it applies to Victoria.

The main points of this act include:

- To strengthen the protection of individuals' private information held by the Victorian public sector.
- The designation of a single Commissioner for Privacy and Data Protection with responsibility for the oversight of the privacy and data protection regime in Victoria.
- The Commissioner will also develop guidelines to assist Government agencies to develop security plans and help ensure changes to current processes are implemented smoothly. The standards will reflect contemporary Australian and international security standards but it will suit the needs of Victorian Government public sector organisations.

The Act states that, following the issue of the standards by the Commissioner, applicable Victorian public sector agencies and bodies must ensure that:

- A security risk profile assessment is undertaken.
- A protective data security plan is developed that addresses the standards applicable to that agency or body.
- The plan is reviewed if an agency's circumstances change, or otherwise every two years.

*Taken from: <https://blueprintis.com.au/faqs/privacy-data-protection-act-2014/>*

## Health Records Act 2001

The main points of the act include:

- Works with the Privacy and Data Protection Act 2014
- Focuses on health services (including medical, mental, aged care and disability).
- Individuals can access information about their health.
- Exception for emergency when an individual cannot give consent, next of kin will be able to access the information.

This is a state law covering only the state of Victoria.

Organisations covered by this act include:

- Organisations in the private and public sectors.
- Profit and not for profit organisations.
- Any organisation handling health information.

### **Copyright Act 1968**

The Copyright Act 1968 was created to protect intellectual property. Intellectual property refers to creations from individual's thoughts such as text, videos and computer programs. In order to cater for new technology, this act has been changed with the Copyright Amendment (Digital Agenda) Act 2000.

The main points of the act include:

- Intellectual property belongs to the individual who created it.
- Copyright is automatic and free once it is written or recorded, however, owners are encouraged to include a statement about their copyright restrictions.
- Covers literary, dramatic, musical and artistic works.
- Does not cover ideas, concepts, names, slogans and images of people.
- Owners have control over how and when material is used.
- Employers hold copyright over work that their employees produce as part of their role.
- Allows copying of music from CD to MP3 player for personal use only.

### **Australian Privacy Principles**

The above legislation is based on the National Privacy Principles which are outlined below.

1. **Collection:** An organisation is not allowed to collect personal information unless the information is necessary for one or more of its functions or activities.
2. **Use and disclosure:** An organisation must only use or disclose personal information about an individual for the primary purpose of collection.
3. **Data Quality:** An organisation must ensure that the personal information it collects, uses or discloses is accurate, complete and up-to-date.
4. **Data Security:** An organisation must ensure they protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure.
5. **Openness:** An organisation must clearly express policies on its management of personal information. The organisation must make the document available to anyone who requests it.
6. **Access and Correction:** Individuals must be granted access to the information an organisation holds about them if requested by the individual.
7. **Identifiers:** An organisation must not adopt as its own identifier of an individual an identifier of the individual that has been assigned by another organisation (eg Tax File Number).
8. **Anonymity:** Individuals must have the option of not identifying themselves when entering transactions with an organisation, if this is lawful and practicable.
9. **Transborder data flow:** An organisation in Australia or an external Territory can only transfer personal information about an individual to someone (other than the organisation or the individual) who is in a foreign country if they have the permission of the individual.
10. **Sensitive information:** An organisation must not collect sensitive information about an individual unless they have the permission of the individual or are required to by law.