Application form – Public interest determination

Victorian public sector organisations should use this form to apply to the Information Commissioner for a public interest determination (**PID**) under section 29 of the *Privacy and Data Protection Act 2014* (Vic)(**PDP Act**).

Information about PIDs and the application process is available on [OVIC’s website](https://ovic.vic.gov.au/privacy/modifying-the-application-of-the-information-privacy-principles/public-interest-determinations/).

Organisations are encouraged to consult with OVIC prior to submitting their application to ensure a PID is appropriate in their circumstances. Organisations must email the completed application form and any supporting documentation to [policyteam@ovic.vic.gov.au](mailto:policyteam@ovic.vic.gov.au).

By submitting this application form, the organisation(s) agree to promptly advise the Commissioner of any material changes that may affect the PID and declare that all information provided to the Commissioner in this application form is true and correct.

Part 1 – Applicant details

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| Primary applicant | | |
| Organisation Name | |  |
| Contact Details | Name |  |
| Position |  |
| Phone |  |
| Email |  |
| Responsible Executive Officer | Name |  |
| Position |  |

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| Additional parties to the application (if relevant) | | |
| Organisation Name | |  |
| Contact Details | Name |  |
| Position |  |
| Phone |  |
| Email |  |
| Responsible Executive Officer | Name |  |
| Position |  |

Part 2 – Details

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| 1. Information Privacy Principle(s) (IPP) to which the PID would apply |
| *Delete this text and insert the relevant IPP(s) or approved code of practice for which a PID is sought.* |

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| 1. Type(s) of personal information used in the act or practice |
| *Delete this text and detail the personal information used in the act or practice, including whether the personal information is defined as sensitive information under the PDP Act.* |

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| 1. Act or practice to which the PID would apply |
| *Delete this text and add a detailed description of the act or practice.*  *This section should include:*   * *how the personal information is used in the act or practice;* * *what the act or practice involves;* * *the context in which that act or practice will take place;* * *the class of individuals to whom the act or practice relates, including the approximate number of individuals whose personal information may be involved in that act or practice;* * *any other agencies, organisations or bodies involved and their role in relation to the act or practice; and* * *the anticipated nature, extent and frequency of the act or practice.* |

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| 1. Governance and risk mitigation arrangements |
| *Delete this text and add a description of any governance and risk mitigation arrangements that have been or will be implemented.*  *For example:*   * *who is responsible for the project;* * *what assessments have been undertaken – e.g. privacy impact assessment, security risk assessment;* * *project review procedures;* * *relevant policies and procedures.*   *Please attach any relevant documents to support the application.* |

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| 1. Why the act or practice does not comply with, or deviates from, the IPP(s) or an approved code of practice |
| *Delete this text and add detail why the act or practice outlined does not comply with, or deviates from, the identified IPP(s) or an approved code of practice.* |

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| 1. Public interest |
| *Delete this text and add a description of the public interest relating to the application.*  *This section should state why a PID is necessary, including:*   * *detailed arguments demonstrating why the public interest in doing the act or practice outweighs, to a substantial degree, the public interest in adhering to the relevant IPP or approved code of practice; and* * *alternative courses of action that have been considered that would not lead to a breach of an IPP or approved code of practice, with explanations as to why such alternatives are not feasible.*   *Organisations must be able to conclude that while there is a public interest in complying with the IPPs or an approved code of practice, this is outweighed by the public interest that will be achieved by not complying in this instance.* |

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| 1. Duration of the PID |
| *A PID made by the Commissioner will typically include an expiry date.*  *Delete this text and insert the duration of the PID sought or provide reasons as to why an expiry date should not be included.* |

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| 1. Has the organisation received any legal advice in relation to the act or practice? |
| *Yes/No*  *If yes, please provide OVIC with a copy of the advice.* |