

- The new Administrative Review Tribunal should not operate under a single case management model but should utilise a range of practices and procedures adapted to suit its different review jurisdictions.

OFFICE OF THE PRIVACY COMMISSIONER

The Privacy Amendment (Office of the Privacy Commissioner) Act 2000 received Royal Assent on 29 February 2000. The purpose of the Act is to separate the Privacy Commissioner from the Human Rights and Equal Opportunities Commission and create a statutory Office of the Privacy Commissioner, with a view to further increasing the profile and effectiveness of the Privacy Commissioner.

PRIVATE SECTOR PRIVACY LEGISLATION

The Privacy Amendment (Private Sector) Bill 2000 was introduced into Parliament on 12 April 2000. It was referred by the Attorney-General to the House of Representatives Standing Committee on Legal and Constitutional Affairs for inquiry and report. The Committee's report was tabled in June 2000, and recommended a number of changes, including:

- that otherwise exempt small business be allowed to opt-in to the coverage of the Bill;
- that changes be made to the provisions concerning employee records;
- that the Government encourage all relevant parties to reach an agreed position on the major issues raised in the evidence to the inquiry, such as the harmonisation of privacy principles applicable to the public sector, as a matter of urgency;
- that health information be included in the Bill, in a similar fashion to the ACT *Health Records (Privacy and Access) Act 1997*; and
- that tenancy databases be subject to the provisions of the Bill immediately and not be governed by the small business exemption.

The Government's response to the Report was tabled in Parliament on 7 September 2000. The Government will be moving amendments to the Bill. Changes include:

- that small businesses that handle health information will be required to comply with the legislation from its commencement;
- that small businesses generally will be able to voluntarily opt in to the privacy scheme; and