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Personal Information Protection

PERSONAL INFORMATION PROTECTION ACT 2004

EXEMPTION UNDER SECTION 14

I, Guy Barnett MP, Minister for Justice, being and as the Minister responsible for the administration of the *Personal Information Protection Act 2004* ("the Act"), upon being satisfied that the public benefit in doing so outweighs to a substantial degree the public benefit from compliance with the Personal Information Protection Principles, hereby approve an application dated 25 July 2024 made under section 13 of the Act by the Department of Premier and Cabinet for an exemption from compliance with the Act by the Department of Justice, the Department of Premier and Cabinet, the Department for Education, Children and Young People and the Department of Police, Fire and Emergency Management, subject to the following conditions:

1. That any information that, but for this exemption, would be protected by the Act can be disclosed to Ms Regina Weiss, Independent Investigator for the purpose of giving effect to the activities outlined in the scope of engagement;
2. That the purposive exemption above extends to any other person retained by (or employed in conjunction with) the said Ms Weiss, Independent Investigator, for the purpose of progressing the said scope of the engagement;
3. That information can only be shared pursuant to the above exemption whereby such information is, or has the potential to be, relevant to the said scope of the engagement;
4. That in determining whether information is, or has the potential to be, relevant to Ms Weiss, Independent Investigator, regard must be given to the scope of engagement; and
5. That if information is shared pursuant to this exemption that is not relevant and is not potentially relevant to the aforementioned scope of engagement, it will be returned or otherwise actioned as per the election of the relevant Department, and in compliance with the *Archives Act 1983*. This does not include information that may become relevant to the independent review that should be retained so as to preserve the integrity of a record as a whole, or for similar or related purposes.

Dated the 24 July 2024

HON GUY BARNETT MP, Attorney-General and Minister for Justice.

Details of the Application

The Department of Premier and Cabinet has applied under Section 13 of the *Personal Information Protection Act 2004* ("the Act") for an exemption under Section 14 of the Act to allow for information within the custody and control of the Department of Justice, the Department of Premier and Cabinet, the Department for Education, Children and Young People and the Department of Police, Fire and Emergency Management to be disclosed and used by Ms Regina Weiss.

The exemption is to ensure that all information relevant to the Independent Investigator's activities can be obtained by the independent investigator, and utilised within the constraints of the law, whilst still protecting the privacy of individuals.

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