



Office of the
**Information
Commissioner**
Western Australia

PRIS Frequently Asked Questions

*Privacy and Responsible Information
Sharing Act 2024 (WA)*

PRIS Frequently Asked Questions

What is the PRIS Act?

The PRIS Act is the *Privacy and Responsible Information Sharing Act 2024 (WA)*.

The objectives of the PRIS Act include:

- Promote responsible and transparent practices in the handling of personal information.
- Balance the public interests of protecting the privacy of personal information with the free flow of information.
- Provide a mechanism for individuals to complain about alleged interferences with their privacy.
- Promote responsible information security practices.

[Read the PRIS Act online.](#)

What is an IPP entity and who does the PRIS Act apply to?

The privacy obligations in the PRIS Act apply to IPP entities. It protects the privacy of individual's personal information handled by IPP entities.

An **IPP entity** is

- a Minister; or
- a Parliamentary Secretary; or
- a public entity; or
- a contracted service provider to government.

A **public entity** includes Western Australian government agencies and departments, the WA Police Force, statutory authorities, Local Governments and government trading enterprises.

What does the PRIS Act mean for the public?

The PRIS Act gives individuals new rights and protections over their personal information in the hands of IPP entities.

Once all of the privacy provisions in the PRIS Act commence, individuals will have the right to:

- Be informed how their personal information is handled.
- Make a privacy complaint to the Information Commissioner if they believe an IPP entity has interfered with their privacy.
- Be notified if their personal information was involved in a breach that could cause serious harm to them.

- Be notified if an IPP entity uses an automated decision-making process to make a significant decision about them which involves their personal information.
- Request information about the automated decision-making process and human intervention in the decision.
- Access and correct personal information an IPP entity holds about them, in some circumstances.

What does the PRIS Act cover?

The PRIS Act covers two main areas: privacy and responsible information sharing.

Privacy

The privacy provisions of the PRIS Act:

- Establish the Information Privacy Principles (**IPPs**) which guide how IPP entities handle personal information and de-identified information.
- Establish rights for individuals, including complaint mechanisms if their privacy is interfered with.
- Establish a notifiable information breach scheme that outlines what happens when personal information is lost, disclosed, or accessed without authorisation which could lead to serious harm.
- Require an IPP entity to undertake a privacy impact assessment if it is performing a function or activity that involves the handling of personal information and is likely to have a significant impact on the privacy of individuals.
- Set out the privacy functions of the Information Commissioner and Privacy Deputy Commissioner under the PRIS Act.

The privacy provisions of the PRIS Act are in Part 2 of the PRIS Act. The Information Privacy Principles (**IPPs**) are in Schedule 1 of the PRIS Act.

Responsible information sharing

The responsible information sharing provisions provide a framework for public entities to share government information responsibly.

The responsible information sharing provisions are in Part 3 of the PRIS Act.

The Chief Data Officer is responsible for the administration of this part of the PRIS Act.

What parts of the PRIS Act have commenced?

On 1 July 2025

The (new) Office of the Information Commissioner was established along with the Information Commissioner, the Privacy Deputy Commissioner and the Information Access Deputy Commissioner. The Commissioners' functions are set out in the *Information Commissioner Act 2024 (WA)*.

The privacy provisions of the PRIS Act that commenced on 1 July 2025 include the:

- Preliminary provisions including definitions (Part 1 of the PRIS Act)

- Administration provisions for the Information Commissioner and Privacy Deputy Commissioner (Part 2 Division 12 of the PRIS Act)
- Miscellaneous and Transitional provisions (Parts 4 and 5 of the PRIS Act)

From 1 July 2026

Most of the privacy obligations in the PRIS Act will commence on 1 July 2026.

The privacy obligations that commence on 1 July 2026 include:

- Key concepts and preliminary matters (Part 2 Division 1 of the PRIS Act)
- Information privacy principles (Part 2 Division 2 and Schedule 1 of the PRIS Act)
- Privacy codes of practice (Part 2 Division 3 of the PRIS Act)
- Requests for access to and correction of personal information (Part 2 Division 4 of the PRIS Act)
- Public interest determinations and temporary public interest determinations (Part 2 Division 5 of the PRIS Act)
- Personal information in public registers (Part 2 Division 7 of the PRIS Act)
- Privacy impact assessments (Part 2 Division 8 of the PRIS Act)
- Privacy complaints (Part 2 Division 9 of the PRIS Act)
- Investigations and enforcement (Part 2 Division 10 of the PRIS Act)
- Contracted service providers (Part 2 Division 11 of the PRIS Act)
- General (Part 2 Division 13 of the PRIS Act)

From January 1, 2027

On 1 January 2027 the notifiable information breach provisions will commence (Part 2 Division 6 of the PRIS Act).

What are the Information Privacy Principles (IPPs)?

The Information Privacy Principles (**IPPs**) outline how IPP entities must handle personal information. There are also IPPs relating to de-identified information and automated decision-making.

The IPPs will come into effect on 1 July 2026.

For more information, read our [Information Privacy Principles Summary](#).

To read the full IPPs in Schedule 1 of the PRIS Act go to the [PRIS Act As Passed](#) on the WA Legislation website.

Can I make a privacy complaint now?

The Information Commissioner can address privacy complaints from 1 July 2026.

Before 1 July 2026, if you are concerned that an IPP entity has interfered with your privacy you should make a complaint directly with the IPP entity.

After 1 July 2026, a complaint will usually be required to be made to the IPP entity first, before a complaint is made to the Information Commissioner.

Who is the Privacy Officer?

Section 151 of the PRIS Act requires that the privacy officer of a public entity is the principal officer or another senior officer.

The privacy officer is responsible for:

- Promoting compliance with the IPPs and Part 2 of the PRIS Act.
- Coordinating the preparation of the information breach policy and maintaining the register of notifiable information breaches.
- Ensuring privacy impact assessments are conducted.
- Coordinating the response to privacy complaints about the public entity.
- Coordinating the public entity's dealings with the Information Commissioner, including in relation to privacy impact assessments, privacy complaints, and any investigation, monitoring or assessment conducted by the Information Commissioner.

Under the PRIS Act a 'senior officer' is 'an officer of the entity who has managerial responsibility' and includes the principal officer.

Determining which senior officer should be the privacy officer will depend on the size and structure of the public entity. Whilst there is no minimum public service level requirement for a privacy officer, they must be at a sufficiently senior level, and have the skills and knowledge, to meet the responsibilities set out in the PRIS Act. The privacy officer should be able to influence stakeholders, and effect the organisational change required to promote strong privacy governance.

When will the Office of the Information Commissioner WA release guidance on the PRIS Act?

The Office of the Information Commissioner WA is currently creating resources for both the public and IPP entities about the PRIS Act.

For comprehensive privacy requirements and to ensure your IPP entity is compliant, please read the PRIS Act in its entirety.

To read the full PRIS Act go to the [PRIS Act As Passed](#) on the WA Legislation website.

To be notified of new resources, subscribe to our OIC monthly email newsletter.
For specific guidance please email info@oic.wa.gov.au.

Do the IPPs apply to personal information that an IPP entity already holds?

Section 223 of the PRIS Act provides that when the IPPs commence, some will apply to personal information and de-identified information that an IPP entity collected before, on or after commencement and some of the IPPs will apply only to personal information collected on or after commencement.

The IPPs will commence on 1 July 2026.

The IPPs that will apply to personal information collected **before, on or after 1 July 2026** are:

- IPP 2 – Use and disclosure

- IPP 3 – Information quality
- IPP 4 – Information security
- IPP 5 – Openness and transparency
- IPP 6 – Access and correction
- IPP 9.1 – Disclosure of personal information relating to an individual outside Australia
- IPP 9.2 – Disclosure of de-identified information relating to an individual outside Australia
- IPP 11 – De-identified information

The IPPs that will apply to information collected **on or after 1 July 2026** are:

- IPP 1 – Collection
- IPP 7 – Unique identifiers
- IPP 8 – Anonymity
- IPP 10 – Automated decision-making

For more information, read our [Information Privacy Principles Summary](#).

To read the full IPPs in Schedule 1 of the PRIS Act go to the [PRIS Act As Passed](#) on the WA Legislation website.

What are the functions of the Information Commissioner and the Privacy Deputy Commissioner?

From 1 July 2025, the functions and powers of the Information Commissioner and the Privacy Deputy Commissioner under the PRIS Act are to:

- Ensure the WA public sector and members of the public are aware of their privacy obligations and rights under the PRIS Act including the IPPs.
- Promote the objects of the PRIS Act and compliance with the privacy obligations in the PRIS Act and the IPPs.
- Develop information and materials in relation to protecting the privacy of personal information.

From 1 July 2026 the functions and powers of the Information Commissioner and the Privacy Deputy Commissioner will also include:

- Deal with privacy complaints
- Investigate and enforce compliance with the privacy obligations in the PRIS Act
- Approve or amend IPP entities' Privacy Codes of Practice
- Deal with applications for Public Interest Determination made by IPP entities
- Undertake reviews, prepare reports and make recommendations on matters relating to the privacy of personal information

What happens when there is an information breach?

For the public

If you think an IPP entity has had an information breach you should contact the IPP entity directly.

For IPP entities before 1 January 2027

The notifiable information breach provisions of the PRIS Act have not yet commenced. IPP entities are not yet required to report an actual or suspected information breach to the Information Commissioner.

However, the Information Commissioner welcomes IPP entities reporting actual or suspected information breaches prior to the commencement of the provisions.

For IPP entities after 1 January 2027

The notifiable information breach provisions will commence on 1 January 2027. IPP entities must prepare and maintain an information breach policy.

IPP entities are required to contain, mitigate and assess a notifiable information breach. If an assessed notifiable information breach has occurred, the IPP entity must inform the Commissioner and affected individuals as soon as practicable.

IPP entities must also create and maintain a register of breaches. An IPP entity is required to include information in its annual report in relation to each assessed notifiable information breach.

For exemptions to this, please refer to Part 2, Division 6 of the PRIS Act.

What is personal information under the PRIS Act?

Personal information

Under the PRIS Act, personal information is:

information or an opinion, whether true or not, and whether recorded in a material form or not, that relates to an individual, whether living or dead, whose identity is apparent or can reasonably be ascertained from the information or opinion;

It includes name, date of birth, address, contact information, location information, unique identifiers (e.g. drivers licence number or IP address), information that relates to features specific to an individual's physical, genetic, cultural or behavioural identity. It can include inferences made about an individual. This list is not exhaustive.

The full definition of personal information is in section 4 of the PRIS Act.

Sensitive personal information

Sensitive personal information is a type of personal information. It includes information that relates to an individual's racial or ethnic origin, gender identity, sexual orientation, political opinions and associations, religious beliefs, trade union membership, or criminal record. It includes health, genetic or genomic and biometric information. This list is not exhaustive.

The full definition of sensitive personal information is in section 4 of the PRIS Act.

What is health information?

Health information is personal information that relates to an individual's health, illness, disability or injury. It includes health services provided or not provided to an individual and an individual's expressed wishes about the provision of health services to them in the future. Health information includes other personal information collected to provide a health service.

The full definition of health information is in section 4 of the PRIS Act.

A note about the definition of personal information in the PRIS Act and the FOI Act

Before 1 July 2026, there are important differences in the definition of personal information in the FOI Act and the PRIS Act.

On and from 1 July 2026, the definition of personal information in the FOI Act will be amended to be the same as the definition of personal information in the PRIS Act.



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