Office of the Information Commissioner

August 2025 - No. 1

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From the Information Commissioner

Welcome to the first newsletter of the Office of the Information Commissioner (the OIC) established under the Information Commissioner Act 2024 (IC Act).



On 1 July 2025, the OIC was formed to support the Information Commissioner's privacy and freedom of information functions. This is a significant change from the former OIC, whose sole functions were under the Freedom of Information Act 1992 (the FOI Act).

The Privacy and Responsible Information Sharing Act 2024 (the PRIS Act) establishes the first privacy framework in WA regulating the handling of personal information by IPP entities (including Ministers, Parliamentary Secretaries, public entities and their contracted service providers). It is the most advanced privacy legislation in Australia. The Information Privacy Principles commence on 1 July 2026 and the notifiable information breach scheme on 1 January 2027.

Both the PRIS and FOI Acts contribute to trust, accountability and transparent government. Transparency and accountability are fundamental to a democratic society and Open Government.

As the inaugural Information Commissioner under the IC Act, I look forward to working with regulated entities, as they transform to meet PRIS requirements, and citizens, as they learn their new privacy rights and to leading the OIC as it takes on privacy regulatory functions in addition to the existing freedom of information responsibilities under the FOI Act.

This month we are starting our external engagement program of work and writing to and meeting with key agencies to understand where they need the most guidance.

The OIC will be recruiting key positions over the next few months, as we resource the OIC to deliver on its new functions, including development of guidance materials.

We also plan to issue our newsletter more regularly on a monthly basis.

Annelies Moens

INFORMATION COMMISSIONER

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About the Information Commissioner

Annelies Moens was appointed Information Commissioner on 28 July 2025 for a five- year term.

Prior to commencing her role, Annelies was the Managing Director of Privcore, a profit-for-purpose privacy, AI and cyber risk management company. In that role she worked with government agencies and private sector organisations in Australia and overseas to uplift data handling practices.

Annelies is the International Association of Privacy Professionals (IAPP) Vanguard Oceania 2023 Award recipient for demonstrating exceptional leadership, expertise and creativity in privacy and data protection. Annelies is also one of Australia's Superstars of STEM, selected in 2021-2022 for her widely recognised privacy expertise.

Annelies co-founded the IAPP in Australia and New Zealand in 2008. She was elected its President in 2011-2012. She also led audit and investigation teams at the federal privacy regulator, privacy consulting teams at IIS, external engagement at AustLII and the education and government account teams at the Copyright Agency Limited.

With an MBA in general international management (distinction) from the Vlerick Business School in Belgium, Annelies also has a first class honours Law, Arts (majoring in computer science) and Science degrees from The University of Queensland.

About the Office of the Information Commissioner

The OIC is an independent oversight and regulatory body that supports the privacy and freedom of information functions of the Information Commissioner.

The Commissioner will be supported by two other statutory office holders, the Privacy Deputy Commissioner and Information Access Deputy Commissioner.

Rachel Crute has been appointed as Acting Information Access Deputy Commissioner until 30 November 2025. Recruitment for the Information Access and Privacy Deputy Commissioners will occur over the next few months in addition to other positions.

The Information Commissioner's current privacy functions

- Ensuring the Western Australian public sector and members of the public are aware of their respective obligations and rights under the privacy provisions of the PRIS Act including the

Information Privacy Principles.
- Promoting the objects of the PRIS Act.
- Developing privacy guidelines.

How to prepare for PRIS in the public sector

The OIC is working to prepare materials for the public sector. In the meantime, check with your PRIS champion about the steps being taken in your agency to prepare.

What and where are the IPPs

The IPPs cover collection, use, disclosure, quality, security, openness and transparency, access and correction, unique identifiers, anonymity, disclosures outside Australia and automated decision-making in the context of personal information. They also regulate de-identified information in relation to security and disclosures outside of Australia. The IPPs are outlined in Schedule 1 to the PRIS Act (as passed).

The IPPs are available on the OIC website at Information Privacy Principles (PDF).

Can a privacy complaint be made now?

The OIC can deal with privacy complaints from 1 July 2026. If you are concerned about the handling of your personal information, please contact the relevant agency directly.

Privacy tip of the month - Passwords

✘ Do not reuse the same password on more than one account, because if the password of one of your accounts is compromised, all your accounts using the same password are likely to be compromised unless you have multi-factor authentication in place. This is known as credential stuffing.

✓ Deploy multi-factor authentication on all your accounts where this is available to you.

Viewing the IC Act, the PRIS Act and the FOI Act – which version are you looking at?

The current versions of the IC Act, the PRIS Act and the FOI Act are available online from the Department of Justice, Parliamentary Counsel's office at WALW - Home. Various versions of each can be viewed on that site. It is important to be clear which version you are viewing to understand whether you are looking at legislation that is currently in force or legislation that has not yet been proclaimed. Particularly in relation to the PRIS Act (WALW - Privacy and Responsible Information Sharing Act 2024 - Home Page), you may wish to view the Act as it was passed to understand future obligations, rather than simply viewing the PRIS Act as it is in force prior to the commencement of all of the relevant provisions.

New OIC website - oic.wa.gov.au

With the commencement of the new OIC on 1 July, the OIC launched a new website. We are continuing to add new content in relation to privacy and FOI.

Searching OIC decisions

The OIC website recently added a guide to searching the Information Commissioner's published decisions under the FOI Act - *Searching decisions*. This guide will help you search all of the published decisions by agency, exemption clause, section, subject matter and more.

Upcoming OIC training

The OIC continues to provide in-person and online training opportunities for Western Australian State and local government agencies. For more information visit *OIC training and events*.

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Acknowledgement of Country

The Office of the Information Commissioner acknowledges the traditional custodians throughout Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures, and to Elders both past and present.