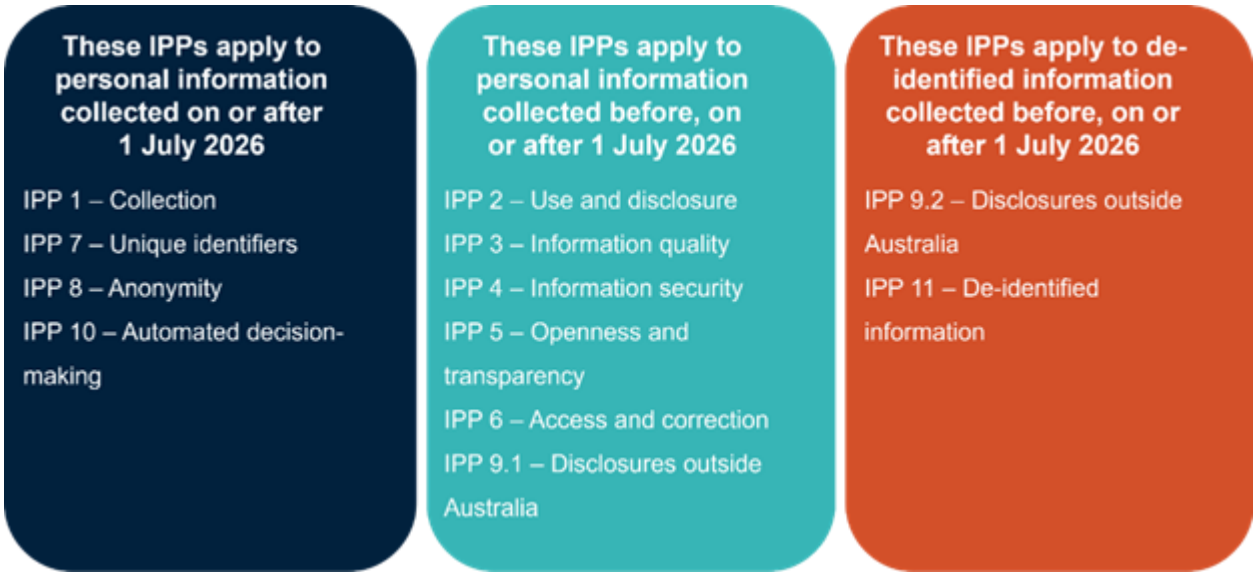
Office of the Information Commissioner
Western Australia

March 2026 - No. 8

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New PRIS transitional guidance for IPP entities and the public



The OIC has published two new resources to assist IPP entities and members of the public understand how the Information Privacy Principles (IPPs) and other provisions in Part 2 of the *Privacy and Responsible Information Sharing Act 2024* (WA) (PRIS Act) apply to personal information collected before, on and after 1 July 2026.

- Understanding my privacy rights – when do they commence? Is the first in a series of publications called 'Understanding my privacy rights' designed to help members of the public understand their rights under the PRIS Act and when those rights commence.
- Resource 1: Personal information collected before and after 1 July 2026 is the first of a series of resources intended to help IPP entities understand their obligations under the PRIS Act. Resource 1 outlines how the IPPs and substantive obligations in Part 2 of the PRIS Act apply to personal information collected before, on and after 1 July 2026.

Privacy Awareness Week: Save the Date - 6 May 2026

Privacy Awareness Week (PAW) is a campaign highlighting the importance of privacy and building trust.

The OIC WA is proud to host its inaugural PAW event on Wednesday 6 May 2026 with a range of sessions tailored to Privacy Officers, PRIS Champions and heads of agencies.

This year's theme, "Smart Tech, Smarter Choices – Protecting Yourself in the Age of AI" will be reflected across State jurisdictions in Australia and amongst Asia Pacific Privacy Authorities. Some of the sessions will explore the application of WA's new privacy regulatory framework to the use of automated decision-making systems.

This event will feature a keynote address from the Information Commissioner, Annelies Moens, followed by a moderated panel discussion with her Deputies, Nina Skewes and Patrick Ky.

To mark PAW, the OIC will release new guidance materials for both regulated entities and members of the public.

Be sure to save the date – more details on registration will be made available soon.

Freedom of information is not a substitute for court or tribunal processes for obtaining evidence

On 6 March 2026, the Information Commissioner published a note form decision in *Re 'E' and Department of Justice WAICmr 1*. The complainant had requested access to documents they claimed were necessary for tribunal proceedings to which they were a party.

Relevantly, in finding that the requested documents were fully exempt under clause 3(1), the Information Commissioner rejected the complainant's argument that disclosure was in the public interest to allow the fair and just determination of a tribunal matter, and to maintain confidence in the administration of justice. She found this argument was misconceived as the public interest is adequately served by the courts' and tribunals' own powers and procedures.

This is consistent with recent guidance published on the OIC website that explains why freedom of information is not a substitute for court or tribunal processes for obtaining evidence.

What is a collection notice and what should it contain?

The OIC has published a new FAQ: What is a collection notice and what should it contain?

This new FAQ unpacks IPP entities' obligation under IPP 1.9 to take reasonable steps to ensure individuals are made aware of certain key information when collecting personal information. IPP entities should not rely on a link to their privacy policy to meet their notice obligations under IPP 1.

Recent events



Deputy Privacy Commissioner Nina Skewes speaking at the Black Swan Summit in Perth.

Black Swan Summit – Regulation as Enabling Infrastructure

The Privacy Deputy Commissioner, Nina Skewes, joined a panel of security and regulatory experts on 25 March 2026 to discuss how responsible regulation can underpin public trust and enable safe innovation. She discussed how the IPPs contained in the PRIS Act are a good example of responsible regulation. The IPPs are principle based, technology neutral and focussed on harm prevention. She also discussed IPP 10 as the first law in Australia to directly regulate automated decision-making involving personal information to make significant decisions about individuals.

Clayton Utz – In Conversation with WA Information Commissioner

The Information Commissioner, Annelies Moens spoke with government trading enterprises at a roundtable discussion hosted by Clayton Utz on 10 March 2026 on preparing for WA's PRIS Act. She discussed the OIC's regulatory remit, her office's key priorities and practical steps entities can take to be ready for the commencement of provisions on 1 July 2026.

HR Partnership Group

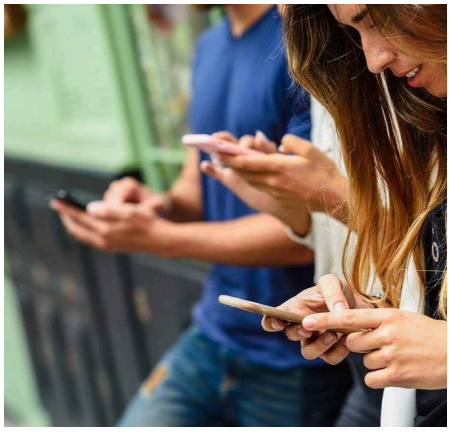
The Privacy Deputy Commissioner, Nina Skewes, met with Human Resource leaders from across the WA public sector on 17 March 2026 to discuss the implications of the IPPs and the PRIS Act for regulated entities' HR function. She focussed on how good privacy management can help embed a culture of trust within an agency's workforce.

Cabinet Liaison Officer Network

The Information Commissioner, Annelies Moens alongside the Chief Data Officer, Natalia

Kacperek spoke to over 250 attendees at the Cabinet Liaison Officer Network on 27 March 2026 on privacy and information sharing and how they operate under the PRIS Act.

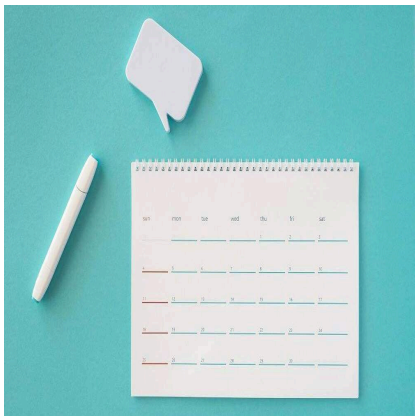
FOI and privacy tip of the month



The difference between a collection notice and a privacy policy

A collection notice is not the same as a privacy policy. A collection notice is required each time personal information is collected to explain the factors set out in IPP 1 for that particular collection.

A privacy policy, by contrast, is a document providing an overview of an entity's personal information handling practices across the entity. The key difference is timing and scope – a collection notice is relevant to a specific interaction at a point in time, whereas a privacy policy is broad and covers all personal information handling of the entity.



Have you informed the applicant of their review rights?

In some circumstances, an agency may fail to give an applicant its notice of decision within the time frame allowed under the FOI Act (generally 45 days after the application is received, or such other period as is agreed between the agency and the applicant).

This is known as a 'deemed decision', where the agency is taken to have refused access to the requested documents on the final day of the applicable time frame.

Even if an agency has not issued a notice of decision, it should still inform the applicant of their right to apply for an internal review of the deemed decision within 30 days. Visit our website for information about FOI timeframes.

Upcoming events

Association of Corporate Counsel In-house Counsel Day, WA

The Information Commissioner, Annelies Moens will provide the opening keynote address at the ACC's Inhouse Counsel Day on 13 May 2026, titled "*Navigating Privacy and Data Governance: A Conversation with the Information Commissioner."* Privacy and data governance are increasingly central to how organisations manage risk, compliance and accountability.

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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.