

Cyber Security Advisory Notice

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September 2025

Limited Use Provisions in the Cyber Security Legislative Package 2024 (Cth)

On 25 June 2025, the Minister for Science and Innovation, the Hon Stephen Dawson, consented to WA Government's participation in limited use provisions under the *Cyber Security Act 2024 (Cth)* and the *Intelligence Services and Other Legislation Amendment (Cyber Security) Act 2024 (Cth)*.

The Department of the Premier and Cabinet – Office of Digital Government (DGov) has been nominated to act as the coordinating entity.

Limited use provisions under the Acts allow “limited use information”—information on cyber security incidents voluntarily provided by affected WA Government entities to the Australian Signals Directorate or the National Cyber Security Coordinator to be shared with the WA Government.

The mechanism for sharing limited use information comes with specific obligations:

- **Use and sharing:** Limited Use information may only be used and disclosed for the explicit purpose of managing the relevant cyber security incident. It cannot be used for other government activities or investigations.
- **Labelling and Handling:** The Commonwealth entities will share all limited use information already clearly labelled. This information must remain clearly labelled and treated as confidential throughout its lifecycle within WA Government entities.
- **Disclosure Restrictions:** Such information cannot be shared further without appropriate consent, and the Commonwealth Government is similarly restricted from using or disclosing the shared information beyond the incident management context.
- **Guidance and Compliance:** DGov will issue further instructions and supporting materials to ensure proper handling, use, and reporting in line with legislative requirements.
- **Legislative impact:** Limited use information is exempt from access provisions under the *Commonwealth Freedom of Information Act 1982 (Cth)*, also effectively disapplying access provisions under the *Freedom of Information Act 1992 (WA)*.

In accordance with the Acts, Western Australian (WA) Government entities must comply with new limited use provisions relating to cyber security incident information.

WA Government entities are required to review their internal protocols to ensure processes for identifying, handling, and safeguarding limited use information are robust. Adherence to these provisions is essential to maintain trust, support effective incident management and regulate access to sensitive cyber security information.

DGov will provide sector-wide implementation advice based on Commonwealth guidance. Please refer to the attached Fact Sheet on Limited Use Obligations for further information.

Greg Italiano
WA Government Chief Information Officer



Cyber Security Advisory Notice Fact Sheet: Limited Use Provisions in the Cyber Security Legislative Package 2024 (Cth)

Background

- The Commonwealth Cyber Security Legislative Package 2024 includes the *Cyber Security Act 2024 (Cth)* and the *Intelligence Services and Other Legislation Amendment (Cyber Security) Act 2024 (Cth)* (the Acts), which came into effect in November 2024.
- "Limited use information" refers to data voluntarily provided to the Australian Signals Directorate or National Cyber Security Coordinator for the purpose of managing a cyber security incident or in the course of their official duties.
- Limited Use information may only be used and disclosed for the explicit purpose of managing the relevant cyber security incident. It cannot be used for other government activities or investigations.
- The Acts establish a lawful information sharing mechanism for limited use information.
- The rationale for establishing the limited use information sharing provisions was to encourage free reporting of cyber security incidents to the Commonwealth government leading to an improved understanding of the national threat landscape.

Consent for Information Sharing

- On 25 June 2025, the Minister for Science and Innovation, the Hon Stephen Dawson, provided consent for Western Australia to opt into limited use obligations.
- This allows WA Government entities to lawfully receive limited use information from the Commonwealth Government and share it within WA Government to ensure an effective cyber security incident response.
- Strict legislative controls apply to the use and disclosure of received limited use information and civil penalties may apply for breaches of use or disclosure obligations.
- To mitigate risks associated with the handling and use of this information, the Department of the Premier and Cabinet – Office of Digital Government (DGov) has assumed the coordinating function for limited use information and will develop sector-wide guidance.

Information not subject to Limited Use Provisions

- Only information defined as limited use information is subject to labelling and handling requirements.
- Information on cyber security incidents provided directly to DGov is not defined as limited use information and not subject to limited use provisions.
- The Western Australian Government Cyber Security Policy continues to apply and is not affected by limited use provisions nor other provisions of the Acts.
- DGov will continue to keep information relating to reports of cyber security incidents, whether attracting limited use provisions or not, in the strictest confidence.

Next Steps

DGov will update the relevant policies including the Information Classification Policy, information classification tools and develop sector-wide implementation advice based on Commonwealth guidance.