

Queensland



*Invasion of Privacy Act 1971*

# INVASION OF PRIVACY REGULATION 1998

**Reprinted as in force on 24 April 2002  
(includes amendments up to SL No. 210 of 2001)**

**This is the reprint current on the repeal date**

**Reprint No. 1E**

This reprint is prepared by  
the Office of the Queensland Parliamentary Counsel  
Warning—This reprint is not an authorised copy

# Information about this reprint

This regulation is reprinted as at 24 April 2002. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

# Queensland



# INVASION OF PRIVACY REGULATION 1998

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# INVASION OF PRIVACY REGULATION 1998

[as amended by all amendments that commenced on or before 24 April 2002]

## 1 Short title

This regulation may be cited as the *Invasion of Privacy Regulation 1998*.

## 2 Definition

In this regulation—

“**licence**” includes a duplicate licence and a renewal, restoration or variation of a licence.

## 3 Licence application by corporation

An application for a licence by a corporation must be made for the corporation by a director or secretary of the corporation.

## 4 Exemption—Act, s 8

For section 8(e) of the Act, financial institutions are exempted from the requirement to hold a credit reporting agent’s licence.

## 5 Chief executive may require information to be verified

The chief executive may require information given in relation to an application for a licence to be verified in the way the chief executive reasonably requires.

*Example—*

A statutory declaration may be required.

## 6 Original or duplicate licence must be signed immediately after receipt

(1) A licensee who is an individual and receives an original or duplicate licence must sign the licence immediately after it is received.

(2) A licensee that is a corporation and receives an original or duplicate licence must ensure the licence is signed by a director or secretary of the corporation immediately after it is received.

## **7 Return showing particulars of credit reporting agent's employees**

(1) The chief executive may, by written notice, require a credit reporting agent to give the chief executive a return showing stated particulars of each person employed by the agent in connection with the agent's business as a credit reporting agent that the chief executive considers to be reasonably necessary for the purposes of the Act.

(2) The licensee must comply with the notice within 21 days of receiving the notice.

## **8 Lost, stolen or destroyed licence**

(1) If a licence is lost, stolen or destroyed, the licensee may—

- (a) apply in writing to the chief executive for a duplicate licence; or
- (b) give the chief executive written notice that—
  - (i) the licence has been lost, stolen or destroyed, as the case may be; and
  - (ii) the licensee wishes to surrender the licence.<sup>1</sup>

(2) An application or notice under subsection (1) must state the circumstances of the loss, stealing or destruction of the licence.

(3) A licence stops being in force when the chief executive receives a notice mentioned in subsection (1)(b).

## **9 Fees**

(1) The fees payable under the Act are in the schedule.

(2) For section 10(10) of the Act, the part of the fee that must be refunded is 20% of the fee paid.

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<sup>1</sup> See the Act, section 38 for the surrender of a licence by a licensee who is able to deliver the licence to the chief executive.

**10 Date in each year after which credit reporting agent must examine and delete stale information**

For section 24(1) of the Act, the date is 30 June.

**SCHEDULE****FEES**

section 9

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- |           |  |        |
|-----------|--|--------|
| <b>1.</b> | Application for—   |        |
|           | (a) a licence, or renewal of a licence, under section 9 of the Act . . . . . | 447.00 |
|           | (b) restoration of a licence under section 11 of the Act . .                 | 447.00 |
|           | (c) a duplicate licence . . . . .  | 47.90  |
| <b>2.</b> | Inspection of a register . . . . .   | 8.20   |
| <b>3.</b> | Copy of, or extract from, an entry in a register . . . . .                   | 5.50   |
| <b>4.</b> | Extract from a register, certified by the chief executive . . .              | 17.50  |

## ENDNOTES

### 1 Index to endnotes

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 24 April 2002.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	prev	= previous
amd	= amended	(prev)	= previously
amdt	= amendment	proc	= proclamation
ch	= chapter	prov	= provision
def	= definition	pt	= part
div	= division	pubd	= published
exp	= expires/expired	R[X]	= Reprint No.[X]
gaz	= gazette	RA	= Reprints Act 1992
hdg	= heading	reloc	= relocated
ins	= inserted	renum	= renumbered
lap	= lapsed	rep	= repealed
notfd	= notified	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 1992
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered

## 4 Table of earlier reprints

### TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	none	26 May 1998
1A	to SL No. 253 of 1998	16 October 1998
1B	to SL No. 202 of 1999	8 November 1999
1C	to SL No. 161 of 2000	21 July 2000
1D	to SL No. 210 of 2001	3 December 2001

## 5 List of legislation

### **Invasion of Privacy Regulation 1998 SL No. 154**

made by the Governor in Council on 18 May 1998

notfd gaz 22 May 1998 pp 509–14

commenced on date of notification

rep 24 April 2002 (2002 No. 13 s 123(2))

amending legislation—

### **Equity and Fair Trading (Fees and Charges) Amendment Regulation (No. 1) 1998**

**SL No. 253 s 3 sch**

notfd gaz 11 September 1998 pp 145–7

ss 1–2 commenced on date of assent

remaining provisions commenced 5 October 1998 (see s 2)

### **Invasion of Privacy Amendment Regulation (No. 1) 1999 SL No. 202**

notfd gaz 27 August 1999 pp 2224–7

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 1999 (see s 2)

### **Equity and Fair Trading Legislation Amendment Regulation (No. 1) 2000 SL No. 161**

**ss 1–2(1), 3 sch**

notfd gaz 30 June 2000 pp 736–48

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2000 (see s 2(1))

### **Tourism, Racing and Fair Trading (Fees) Amendment Regulation (No. 1) 2001**

**SL No. 210 ss 1–3 sch**

notfd gaz 16 November 2001 pp 982–5

ss 1–2 commenced on date of notification

remaining provisions commenced 3 December 2001 (see s 2)

## **6 List of annotations**

### **Exemption—Act, s 8**

**s 4** sub 1999 SL No. 202 s 4

### **Repeal**

**s 11** exp 23 May 1998 (see s 11(2))

### **SCHEDULE—FEES**

sub 1998 SL No. 253 s 3 sch; 2000 SL No. 161 s 3 sch; 2001 SL No. 210  
s 3 sch