



Australian Government

**Australian Pesticides and
Veterinary Medicines Authority**



APVMA Privacy Policy

DECEMBER 2019

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This publication is available from the [APVMA website](#).

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PURPOSE OF THIS POLICY

This privacy policy outlines how the Australian Pesticides and Veterinary Medicines Authority (APVMA) protects and manages personal information, including sensitive information, consistent with its obligations under the [Privacy Act 1988](#) (Privacy Act) and the Australian Privacy Principles (APPs).

In this policy, personal information and sensitive information has the meaning given to it in the Privacy Act, which is available on the Comlaw website.

Detailed information on privacy and the APPs is available on the [Office of the Australian Information Commissioner's website](#).

The APVMA may from time to time review and update this Privacy Policy to take account of new laws or technology, and changes to the APVMA's functions, operations and practices.

1 ABOUT THE APVMA

The APVMA is an independent statutory authority responsible for the assessment and registration of agricultural chemicals and veterinary medicines (agvet chemicals) and for their regulation up to and including the point of retail sale. The authority sits within the portfolio of the Australian Government Minister for Agriculture.

The APVMA administers the National Registration Scheme for Agricultural and Veterinary Chemicals and the scheme's legislation in partnership with state and territory governments and a number of Australian government agencies. The APVMA also manages an adverse experience reporting program designed to ensure early detection of problems with registered chemicals when used as intended.

1.1 How and why the APVMA collects personal information

The APVMA will collect personal information where the the information is reasonably necessary for, or directly related to, one or more of the APVMA's statutory functions or activities under the [Agricultural and Veterinary Chemicals \(Administration\) Act 1992](#). The APVMA's activities include incidental and support activities, such as human resources, corporate and public relations and communications activities.

In most cases, the APVMA will collect personal information directly from the individual. However, there may be circumstances when we collect personal information from another person, such as:

- a representative, eg a legal guardian or family member
- a third party, such as another government agency, where authorised by law or with consent (if possible)
- a contracted service provider that provides services on behalf of the APVMA or assists the agency with its human resources, communications, IT or other corporate activities.

We will collect personal information through a range of different channels including:

- paper-based and electronic forms
- email, facsimile and other written communications
- telephone calls and enquiries
- face-to-face meetings
- the APVMA website and social media accounts.

If the APVMA collects personal information about an individual from another source, the APVMA will take reasonable steps in the circumstances to notify the individual of the collection of the information and circumstances of the collection, in accordance with APP 5.2.

1.2 Dealing with the APVMA anonymously or using a pseudonym

Where it is practicable, individuals may choose to remain anonymous or adopt a pseudonym when dealing with the APVMA. For example, when making a general enquiry. However, in most situations it will be necessary for the APVMA to collect an individual's name and other personal details. The identity of an individual is typically relevant

and necessary in order to perform the APVMA's functions and activities, including assessing applications and communicating developments in regulatory matters.

If an individual is concerned about not being able to deal with the APVMA anonymously or using a pseudonym, they can contact the APVMA's Privacy Contact Officer and the circumstances will be dealt with on a case by case basis.

1.3 Kinds of personal information collected and held by the APVMA

The APVMA will only collect personal information that is reasonably necessary for, or directly related to one or more of the functions or activities of the APVMA. The types of information that the APVMA generally collects and holds, include:

- individuals' names, addresses and contact details (eg email, phone, facsimile)
- identity information (eg date of birth, gender, drivers licence, passport, signature)
- background information (eg country of birth, nationality, qualifications, language/s)
- recruitment information (eg current employer and job title, work history, references, remuneration details)
- employee and consultant information (eg performance, training and health records, AGS number, conflict of interest declarations)
- financial information (eg bank account details, superannuation details, credit card details, credit reporting information)
- business and company records
- opinions expressed in submissions.

Government related identifiers such as tax file numbers may be collected, used and disclosed where reasonably necessary for the APVMA to verify the identity of an individual for the purpose of its functions or activities.

Sensitive Information

Due to the nature and functions of the APVMA, the agency may hold a range of sensitive personal information including:

- health information where relevant to employment, adverse experience reporting or product recalls and chemical reviews
- information about racial or ethnic origin where relevant to employment or an external scientific reviewer application
- background and police checks where relevant to employment or an external scientific reviewer application.

1.4 Why the APVMA collects, uses and discloses personal information

The APVMA collects and holds personal information for a range of general purposes including:

- performing recruitment, employment and work, health and safety activities
- assessing applications for chemical products registrations, permits and import consents
- administering the adverse experience reporting program
- undertaking product recalls and chemical reviews
- undertaking levy audits, compliance and monitoring activities
- administering veterinary chemical product manufacturing quality and licensing schemes
- appointing external scientific reviewer and board members
- managing contracts and tenders
- corresponding with members of the public including in relation to complaints, feedback and correspondence to Ministers
- managing mailing and subscription lists
- processing applications under the *Freedom of Information Act 1982* (FOI Act).

Where the APVMA collects personal information about an individual, the APVMA will not use or disclose the information for another purpose unless:

- a) the individual has consented to the use or disclosure of the information; or
- b) the individual reasonably expects that information to be disclosed by the APVMA; or
- c) the use or disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order; or
- d) a permitted general situation exists in relation to the use or disclosure of the information by the APVMA; or
- e) the APVMA reasonably believes that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

1.5 How the APVMA stores personal information

The APVMA stores all personal information securely and restricts access to a limited number of staff that need access to the information to perform their duties or assist individuals concerned. The APVMA's information is stored electronically, on databases or in emails, or on hard copy files.

The APVMA takes all reasonable steps to ensure that personal information is protected from misuse, loss and interference.

When information is no longer required the APVMA securely destroys it in accordance with the [Archives Act 1983](#) and relevant disposal authorities.

1.6 Cross-border disclosure of personal information

The APVMA infrequently discloses personal information in accordance with the *Mutual Assistance in Criminal Matters Act 1987*, and other legislation. Where this occurs, the APVMA complies with APP 8.

2 HOW TO ACCESS AND CORRECT PERSONAL INFORMATION

Individuals have a right under the Privacy Act to access or correct their personal information.

Upon request or pursuant to the Privacy Act, the APVMA will provide an individual with access to their personal information or take reasonable steps to correct their personal information to ensure that it is accurate, up-to-date, complete, relevant and not misleading, subject to any applicable exceptions under the Privacy Act.

An individual may request access or correction of their personal information by contacting our Privacy Contact Officer.

A request should specify the information requested or for correction, and provide the individual's contact details including an email address or mailing address. Any reasons for the correction should also be provided.

Before providing access to or correcting personal information, the APVMA may require the individual to verify their identity. There is no cost for lodging a request to access or correct personal information.

The APVMA will respond to any access or correction request within 30 days of the request being made. If access or correction is refused, the APVMA will provide a written notice setting out the reasons for the refusal and information about how the individual can make a complaint.

If a correction application is refused, the individual may ask the APVMA to associate a statement with the personal information the individual believes to be inaccurate, out-of-date, incomplete, irrelevant or misleading. The APVMA will take reasonable steps to associate a statement in the circumstances.

The right to access and correct information under the Privacy Act sits alongside similar rights under the FOI Act. More information about [making an access or amendment request](#) under the FOI Act can be found on our website.

3 MAKING A PRIVACY COMPLAINT TO THE APVMA

An individual may make a privacy complaint about the way in which the APVMA has handled personal information. Such complaints should be in writing and provided to the Privacy Contact Officer using the contact details below.

The APVMA will request details of the complaint so it can investigate the issues and concerns raised. Notification of an outcome will be provided as soon as possible and individuals will be kept up to date as to the progress of their complaint.

If an individual is not satisfied with the outcome of such an investigation they can contact the Office of the Australian Information Commissioner (OAIC). Further [details on privacy and making a privacy complaint](#) can be found on the OAIC website.

4 FURTHER INFORMATION

In accordance with the APP's this privacy policy is available on the APVMA website.

For security reasons, and to protect personal information, individuals inquiring about personal information may be asked to provide proof of their identity.

To access personal information, make an inquiry or complaint about personal privacy send a written request to the APVMA:

privacy@apvma.gov.au

GPO Box 3262
SYDNEY, NSW 2001

For further information on Privacy and information policy refer to the Office of the Australian Information Commissioner (OAIC) at oaic.gov.au or by telephone on 1300 363 992.

For information about the role and functions of the Commonwealth Ombudsman refer to ombudsman.gov.au or telephone 1300 362 072.