



~~Private & In-Confidence~~

Final: 28 July 2017

Privacy Impact Assessment Report

TRIPS and MEDB Data Integration Project

Prepared for the Australian Bureau of Statistics

PIA Report: TRIPS and MEDB Data Integration Project

1.	Executive Summary	3
2.	About this report	5
3.	Description of the Project	7
4.	Data sourcing	11
5.	Data Integration	16
6.	Publication of statistics	17
7.	Other Privacy Considerations	17
	Schedule 1 – Detailed information flows	20
	Schedule 2 – Data Items	25
	Schedule 3 – MEDB Public Interest Certificate (Initial Release)	27
	Schedule 4 - MEDB Public Interest Certificate (Ongoing Release)	29
	Schedule 5 – Summary of the APPs	32
	Schedule 6 - Sources of information	34
	Schedule 7 – Glossary and acronyms	36




1. Executive Summary

1.1 Introduction

- (a) The Australian Bureau of Statistics (**ABS**) is required, under subsection 9(2) of the *Census and Statistics Act 1905* (Cth) (**Census and Statistics Act**), to collect and compile quarterly statistics on the estimated resident population (**ERP**) for each state and territory. In the past, the ABS has used state of residence information sourced from Outgoing Passenger Cards (**OPCs**) and provided by the Department of Immigration and Border Protection (**DIBP**), to estimate net overseas migration (**NOM**) and ERP.
- (b) The use of OPCs ceased from 30 June 2017, as part of a long-term government initiative to automate immigration clearance processes. To fill the data gap for state of residence information that is no longer collected through OPCs, the ABS is implementing a project that will link Medicare Enrolment Database (**MEDB**) information held by the Department of Human Services (**DHS**), with Travel and Immigration Processing System (**TRIPS**) data held by DIBP.
- (c) The Project will be reviewed after three years.
- (d) The ABS has commissioned this independent privacy impact assessment (**PIA**) to:
 - (i) identify and assess privacy risks and impacts (both positive and negative) relating to the Project; and
 - (ii) identify options for managing, minimising or eliminating privacy risks and maximising privacy protection.

1.2 Summary of findings and recommendations

- (a) The proposed Project implementation approach includes a number of privacy enhancing measures, including:
 - (i) the functional separation approach to data integration which restricts the extent to which identifiable personal information is able to be accessed or ascertained by ABS officers, and mitigates risks relating to the use of TRIPS and MEDB data for secondary purposes;
 - (ii) the 'anonymisation' of TRIPS and MEDB data as part of the data linkage process; and
 - (iii) the fact that the ABS will only collect 'scrambled' Medicare card information (i.e. not real Medicare identifiers).
- (b) The discontinuance of OPCs reduces or eliminates certain privacy risks relating to the manual handling of paper-based documents, such as data security and accuracy. The secure electronic collection of TRIPS and MEDB data means that there is a reduced risk of personal information being lost in transit compared to physical delivery, temporary storage and scanning of cards, as well as potential data accuracy risks arising from human error in manual data entry and processing. It also reduces the number of people with access to the personal information (including eliminating the handling of cards by contractors).
- (c) Recommendations made in this PIA to mitigate identified privacy compliance risks are set out below.



Recommendation 1: To promote transparency and public debate about the benefits of, or any privacy concerns relating to, the Project:

- the project description on the National Statistical Service (**NSS**) Data Integration Project Register should include information about the nature of the information that will be collected by the ABS from DIBP and DHS, and why that information is required by the ABS; and
- the ABS website should include clear and accessible information about the Project, including a link to the NSS Data Integration Project Register.

Recommendation 2: As part of the review of the ABS Privacy Policy, consideration should be given to including information about the collection of TRIPS and MEDB data from DIBP and DHS, and the use of that information in data integration processes.

Recommendation 3: At the end of the three year Project period, if a decision is made to continue the Project:

- the data retention periods should be reviewed to ensure that TRIPS and MEDB data is only retained for the minimum period reasonably required to obtain and manage the quality of the statistical data produced by the data integration process;
- appropriate procedures are implemented for the secure deletion of data that is no longer required; and
- any material changes to the Project should be subject to a separate PIA.

2. About this report

2.1 Scope

The scope of this PIA:

- (a) relates to the information flows identified in Schedule 1;
- (b) assesses whether the proposed Project implementation approach will ensure the ABS complies with its obligations under the *Privacy Act 1988* (Cth) (**Privacy Act**), including the Australian Privacy Principles (**APPs**);
- (c) considers whether the collection and use of TRIPS and MEDB data provided to the ABS by DIBP and DHS is consistent with the secrecy/confidentiality provisions under the *Migration Act 1958* (Cth) (**Migration Act**) and the *Health Insurance Act 1973* (Cth) (**Health Insurance Act**); and
- (d) identifies and recommends options for managing, reducing or eliminating any negative privacy impacts that have been identified in the PIA, including any further community consultation that may be required in relation to the Project.

2.2 Methodology

- (a) To produce this PIA report, MinterEllison has:
 - (i) applied an approach based on the *Guide to undertaking privacy impact assessments (May 2014)* (**PIA Guide**) issued by the Office of the Australian Information Commissioner (**OAIC**);
 - (ii) prepared a detailed narrative of the relevant information flows (as described in Schedule 1) in consultation with the ABS;
 - (iii) assessed the privacy impacts of the Project by reference to
 - (A) the APPs under the Privacy Act (summarised in Schedule 5); and
 - (B) secrecy provisions applicable under the Migration Act to TRIPS data, and provisions under the Health Insurance Act in relation to MEDB data;
 - (iv) relied on and considered the material listed in Schedule 6;
 - (v) prepared a draft PIA report for comment by the ABS; and
 - (vi) finalised the report based on further information and feedback received from the ABS.
- (b) We have not directly undertaken consultation with other agencies, stakeholders or interest groups.
- (c) Further, while the likelihood and seriousness of potential privacy risks have been considered in the context of proposing mitigation strategies, this PIA does not provide an analysis at the level of detail set out in AS/NZS ISO 31000 (Risk management – Principles and Guidelines) (although it would be possible and open to the ABS to undertake such an assessment).

2.3 Qualifications and assumptions

- (a) This PIA report is subject to the following qualifications and assumptions:
 - (i) as at the date of writing this report, the information flows described in Schedule 1 accurately reflect the current proposal as to how the Project will be implemented;
 - (ii) any information not listed in Schedule 6 is not material to assessing the privacy impacts of the Project; and
 - (iii) MinterEllison has not undertaken any consultation or investigations other than those set out in the Methodology at section 2.2.

2.4 Meeting community expectations

- (a) Authorising the collection, use or disclosure of personal information through the use of legislation or legislative instruments may ensure that a particular activity complies with the Privacy Act. However, that does not necessarily mean that it will meet community expectations. For example, community attitudes about what constitutes an invasion of privacy are not necessarily reflected in law. Accordingly, a PIA is more than just an APP compliance check, and should have regard to community attitudes and expectations when considering the broader privacy implications and risks of a project.¹
- (b) Reliable indicators of community expectations are difficult to produce, and it is beyond the scope of this PIA to commission research on community attitudes relating to this particular Project, or in relation to the integration of overseas movements and Medicare data to produce population statistics.
- (c) For the purposes of this PIA, our assumptions about community expectations most likely to be held by persons whose privacy may be impacted by the project are based on the OAIC's *Community Attitudes to Privacy Survey 2017*.

¹ OAIC, *Guide to undertaking privacy impact assessments (May 2014)*, page 2.

3. Description of the Project

3.1 Overview of ABS functions

Statistics functions

- (a) The ABS is established under the *Australian Bureau of Statistics Act 1975* (Cth) (**ABS Act**). Its statutory functions include:²
 - (i) collecting, compiling, analysing and disseminating statistics and related information;
 - (ii) coordinating with other official bodies (including other agencies) to avoid duplication in the collection, and maximise the utilisation, of information for statistical purposes.
- (b) The ABS also has functions under the *Census and Statistics Act*. Sections 9 and 12 relevantly provide:

9 Statistical information to be collected

(1) The Statistician:

- (a) may from time to time collect such statistical information in relation to the matters prescribed for the purposes of this section as he or she considers appropriate; and*
- (b) shall, if the Minister so directs by notice in writing, collect such statistical information in relation to the matters so prescribed as specified in the notice.*

- (2) The Statistician shall collect such statistical information as is necessary for the purposes of the compilation and analysis, under section 12, of statistics of the number of people of each State as on the last day of March, June, September and December in each year, but nothing in this subsection shall be taken to limit the generality of subsection (1).*

12 Publication etc. of statistics

- (1) The Statistician shall compile and analyse the statistical information collected under this Act and shall publish and disseminate the results of any such compilation and analysis, or abstracts of those results.*
- (2) The results or abstracts referred to in subsection (1) shall not be published or disseminated in a manner that is likely to enable the identification of a particular person or organization.*
- (3) The Statistician may make changes for results and abstracts published and disseminated under this section.*

- (c) For the purposes of section 9 of the *Census and Statistics Act*, Item 38 in the table under regulation 13 of the *Census and Statistics Regulation 2016* (Cth) (**Census and Statistics Regulation**) prescribes 'population and the social, economic and demographic characteristics of the population' as a matter in respect of which statistical information may be collected.
- (d) 'Statistical information' is not defined in the *Census and Statistics Act*, however the ABS considers this term means information that is used in the creation or compilation of statistics.³

² ABS Act, section 6.

³ MinterEllison has relied upon this interpretation for the purposes of preparing this PIA.

ABS as an Accredited Integrating Authority

- (e) Data integration is the process of developing new datasets through the linkage of two or more existing datasets. The term 'data linkage' as used by the ABS, refers to the process of combining records between two datasets as part of a data integration process.
- (f) The *High Level Principles for Data Integration Involving Commonwealth Data for Statistical and Research Purposes* (**High Level Principles**) and the *Data Integration Involving Commonwealth Data for Statistical and Research Purposes: Governance and Institutional Arrangements* (**Governance Arrangements**) provide a framework for statistical data integration involving Commonwealth data. Data integration for all projects assessed as having a 'high systemic risk' (i.e. involving sensitive or personal data for statistical or research purposes) must be undertaken by an accredited Integrating Authority.
- (g) The ABS is an Integrating Authority that was independently accredited in 2012 by the Cross Portfolio Data Integration Oversight Board to undertake data integration activities. As part of the accreditation process, the ABS was audited in relation to its compliance with the following criteria:
 - (i) ability to ensure secure data management;
 - (ii) ability to ensure information that is likely to enable identification of individuals or organisations is not disclosed to external users;
 - (iii) availability of appropriate skills;
 - (iv) appropriate technical capability;
 - (v) lack of conflict of interest;
 - (vi) culture and values that ensure protection of confidential information, and support the use of data as a strategic resource;


3.2 Project background and purpose

- (a) In June 2017, the Minister for Immigration and Border Protection (**Immigration Minister**) announced that people leaving Australia would no longer need to complete paper-based OPCs, effective from 1 July 2017.
- (b) Further, since 1 July 2015, there has been a steady decline in the quality and number of OPCs collected from passengers via drop boxes near the Departures SmartGate.
- (c) OPCs provide the ABS with state of residence information that is critical for estimating NOM and ERP, as required under subsection 9(2) of the Census and Statistics Act. State and territory population estimates underpin the distribution of GST revenue between jurisdictions, and are used to determine electoral representation (i.e. the number of seats) in the House of Representatives for each state and territory. State and Territory population estimates are also key denominators for various other population and social statistics indicators.
- (d) The ABS currently collects the TRIPS Movements File Data identified in Item 1 in Schedule 2 of this PIA report, for various statistical purposes. The Name File Data outlined in Item 2 of Schedule 2 is collected only for the purpose of this Project. To fill the data gap created by the cessation of OPCs, the ABS identified data linkage between TRIPS data and MEDB data as alternative way to obtain accurate residential state information.
- (e) An initial proof of concept linkage was undertaken in mid-2016 using 2011 data to test the feasibility of the TRIPS-MEDB data linkage. Further testing was conducted in late 2016 as part of a feasibility project, using 2016 TRIPS and MEDB data. The feasibility testing results were found by the ABS to produce data of sufficient quality for population estimates.
- (f) This Project will involve three years of the TRIPS and MEDB data integration approach. The ABS will review the Project at the end of the three year period (June 2020).

3.3 Information flows

- (a) A detailed description of the personal information flows are set out in Schedule 1.
- (b) The key stages of the Project are briefly summarised as follows:
 - (i) Each month during the Project period, DIBP will provide the ABS with the following encrypted TRIPS data files relating to individuals who have departed Australia:
 - (A) a **TRIPS Movements File**: This contains the information listed in Item 1 of Schedule 2 to this report. The file will be delivered via a secure electronic facility to the ABS Demography Section, which will then provide the data file to designated officers in the ABS Data Linkage Centre (**DLC**); and
 - (B) a **TRIPS Name File**: This contains the information listed in Item 2 of Schedule 2, and will be delivered via a secure electronic facility to the DLC directly.
 - (ii) For the initial MEDB data release, DHS has provided the ABS with the Medicare enrolment data (**MEDB Data Items**) listed in Item 3 of Schedule 2. The MEDB Data Items include personal information relating to all individuals with an active Medicare enrolment between 1 January 2016 and 31 May 2017. No health information, or any other 'sensitive information' (as defined in the Privacy Act) is included in the MEDB Data Items.
 - (iii) For each subsequent MEDB data extract release,⁴ DHS will provide the ABS with update files that contain MEDB Data Items relating to the following individuals:
 - (A) **newly eligible customers**: These are individuals that have a Medicare 'consumer start date' or 'entitlement start date' within the relevant data extract reference period;
 - (B) **consumers no longer eligible**: These are individuals who have a death date, consumer end date, Medicare card expiry date or entitlement end date within the relevant data extract reference period;
 - (C) **existing customers** where there has been a change or update to the following MEDB Data Items during the relevant data extract reference period:
 - (I) surname;
 - (II) legal first name;
 - (III) preferred first name;
 - (IV) sex;
 - (V) entitlement type;
 - (VI) entitlement status;
 - (VII) date of birth (**DOB**);
 - (VIII) mailing state;
 - (IX) mailing postcode;
 - (X) residential state;
 - (XI) residential postcode.
 - (iv) The ABS DLC will undertake the TRIPS and MEDB data linkage process. As part of this process, the following files will be created:
 - (A) linkage input files, which contain the Linkage Input File Data listed in Item 4 of Schedule 2, including anonymised names;

⁴ The first two MEDB data extracts will be provided on a monthly basis. The following extracts will be on a quarterly basis.

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- (B) a record concordance file, which contains the Record Concordance File Data listed in Item 5 of Schedule 2;
 - (C) a linkage output file, which contains the Linkage Output File Data listed in Item 6 of Schedule 2; and
 - (D) a linked analysis file, which contains the Linked Analysis File Data listed in Item 7 of Schedule 2.
- (v) The ABS will use the Linked Analysis File Data in the production and publication of aggregate demographic statistics with state of residence counts, including overseas arrivals and departures (**OAD**), **NOM** and **ERP**.
- (c) The linkage input, concordance, output and analysis files in isolation do not include data which identifies individuals. As the ABS will have available resources to be able to ascertain the identity of individuals (i.e. by combining data files), the data on those files will be treated as personal information for Privacy Act purposes, noting that there are a number of technical, procedural and environmental controls in place to restrict the circumstances in which this could occur so as to enable an individual to be 'reasonably identifiable' from the information.

4. Data sourcing

4.1 Legislative authority

- (a) A number of APPs provide exceptions to general obligations and limitations on the handling of personal information where it is 'required or authorised by or under an Australian law'. The OAIC's APP Guidelines provide the following guidance in relation to this exception:

Meaning of 'required'

B.129 An APP entity that is 'required' by an Australian law or a court/tribunal order to handle information in a particular way has a legal obligation to do so, and cannot choose to act differently. The obligation will usually be indicated by words such as 'must' or 'shall', and may be accompanied by a sanction for non-compliance.

Meaning of 'authorised'

B.130 An APP entity that is 'authorised' under an Australian law or a court/tribunal order has discretion as to whether it will handle information in a particular way. The entity is permitted to take the action but is not required to do so. The authorisation may be indicated by a word such as 'may', but may also be implied rather than expressed in the law or order.

B.131 An APP entity may be impliedly authorised by law to handle personal information in a particular way, where a law requires or authorises a function or activity, and this directly entails the information handling practice. For example, a statute that authorises an APP entity to collect personal information about an individual from a third party implicitly authorises the entity to disclose the individual's identity to the third party.

B.132 An act or practice is not 'authorised' solely because there is no law or court/tribunal order prohibiting it. Nor can an act or practice rely solely on a general or incidental authority conferred by statute upon an agency to do anything necessary or convenient for, or incidental to or consequential upon, the specific functions and powers of the agency. The reason is that the purpose of the APPs is to protect the privacy of individuals by imposing obligations on APP entities in handling personal information. A law will not authorise an exception to those requirements unless it does so by clear and direct language.

Census and Statistics Act – statistical information

- (b) As indicated above in paragraph 3.1(c), the ABS considers that the term 'statistical information', as used in the Census and Statistics Act, means information that is used in the creation or compilation of statistics. On that basis, section 9 of the Census and Statistics Act provides the ABS with legislative authority to collect TRIPS and MEDB data from DIBP and DHS.

Migration Act – TRIPS data

- (c) TRIPS movements records are subject to secrecy provisions under the Migration Act. Subsection 488(1) provides a general prohibition in relation to a person reading, examining, reproducing, using or disclosing any part of movement records.
- (i) Under subsection 488(2)(a)(vii), the Immigration Minister may authorise an officer to do any of the above things for the purposes of prescribed legislation. For the purposes of that provision, and pursuant to regulation 3.10A(1) of the *Migration Regulations 1994 (Cth) (Migration Regulations)*, Item 43 in Schedule A to the instrument dated 2 September 2016 and titled *Access to Movement Records 2016/090 (IMMI 16/090)*, prescribes the Census and Statistics Act.


- (ii) Under paragraph 488(2)(g) of the Migration Act, the Immigration Minister may authorise a prescribed employee of a prescribed agency to use or disclose TRIPS movements records for a prescribed purpose. For the purposes of that provision, and pursuant to regulation 3.10A(2) of the Migration Regulations, Item 6 in Schedule B to IMMI 16/090 authorises ABS employees to access TRIPS movement data for the purpose of *'carrying out their official functions requiring the movement record information of individuals'*.
- (d) The effect of these instruments and provisions is to provide a legislative authority for DIBP to disclose TRIPS movement data to the ABS, and (by implication) for the ABS to collect that information.

Health Insurance Act – MEDB data

- (e) Subsection 130(1) of the Health Insurance Act provides a general prohibition in relation to the disclosure of information obtained under that Act, including Medicare enrolment information. However, the Secretary of the Department of Health or the Chief Executive Medicare may disclose such information under paragraph 130(3)(a) where the Minister for Health (**Health Minister**) certifies in writing that the disclosure is in the public interest.
- (f) For the purposes of the Project, delegates of the Health Minister have issued public interest certificates (**PICs**) under paragraph 130(1)(a) of the Health Insurance Act to facilitate the provision of MEDB data by DHS to the ABS:
 - (i) for the initial MEDB data release (see Schedule 3 for a copy of the MEDB PIC (Initial Release)); and
 - (ii) for subsequent releases over the following 12 months (see Schedule 4 for a copy of the MEDB PIC (Ongoing Release)).
- (g) It is intended that further PICs will be made to cover the remaining period of the Project.
- (h) The effect of the PICS is to provide a legislative authority for DHS to disclose MEDB data to the ABS, and (by implication) for the ABS to collect that information.

4.2 Collection of TRIPS and MEDB data

- (a) Under APP 3, the ABS must:
 - (i) only collect personal information (other than sensitive information) if it is reasonably necessary for, or directly related to, one or more of the ABS's functions or activities (APP 3.1);
 - (ii) only collect personal information by lawful and fair means (APP 3.5); and
 - (iii) only collect personal directly from the relevant individual unless:
 - (A) the individual consents to the collection from someone else (APP 3.6(a)(i));
 - (B) the indirect collection is required or authorised by or under an Australian law (APP 3.6(a)(ii)); or
 - (C) it is unreasonable or impracticable to collect the information directly from the individual (APP 3.6(b)).
- (b) The ABS advises that all of the TRIPS Movements File Data, TRIPS Name File Data and MEDB Data Items are required to effectively undertake the data linkage process and produce state of residence statistical information. On that basis, we consider that for the purposes of APP 3.1, the collection of that information will be reasonably necessary for, or directly related to, the ABS's functions under subsection 9(2) of the Census and Statistics Act.

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- (c) We also consider that the collection of the TRIPS and MEDB data will be consistent with the ABS's obligations under APPs 3.5 and 3.6(a)(ii), on the basis that:
 - (i) the collection of TRIPS data will be authorised under Item 6 in Schedule B to IMMI 16/090;
 - (ii) the collection of MEDB data will be authorised under the MEDB PICs made under paragraph 130(3)(a) of the Health Insurance Act; and
 - (iii) the collection of both TRIPS and MEDB data will be authorised under section 9 of the Census and Statistics Act.
 - (d) A 'collection' may also take place when an agency generates personal information from other data it holds. This will include the Linkage Input File Data, Record Concordance File Data, Linkage Output File Data and the Linked Analysis File Data, which will be created by the ABS during the data linkage and data integration processes. We consider the collection of this information to be permitted under APP 3.1, on the basis that it is reasonably necessary for, or directly related to, the ABS's functions under subsection 9(2) of the Census and Statistics Act.

4.3 Collection transparency

- (a) As discussed above in section 2.4, the ability to rely on legislative authority for the collection and handling of personal information may ensure that a particular activity strictly complies with the APPs, but it does not necessarily mean that the activity will align with community expectations.
- (b) Further, a project's success can be impacted by the degree of community support and confidence in an agency's information handling practices. In this regard, transparency around the collection and handling of personal information can assist in building public trust. Conversely, insufficient transparency can undermine public confidence not only in relation to a particular project, but in relation to the agency as a whole.
- (c) The OAIC's *Community Attitudes to Privacy Survey 2017* found that nearly half (49%) of Australians are 'uncomfortable' with government agencies sharing their personal information with other agencies.⁵ Further, while 46% of survey respondents indicated they were comfortable with government agencies using their personal information for the purposes of 'research, improved services or policy development', a substantial proportion (approximately 30%) were uncomfortable with this idea.
- (d) A key privacy right is for individuals to be made aware of what personal information is going to be collected about them, and for what purposes. In particular, APP 5 requires the ABS to take reasonable steps to notify or ensure an individual is made aware of certain matters at the time it collects their personal information or, if that is not practicable, then as soon as practicable after the collection. The matters in APP 5.2 relevantly include the following:
 - (i) the fact that the ABS collects or has collected personal information from someone other than the individual (APP 5.2(b));
 - (ii) the purposes for which the ABS collects the personal information (APP 5.2(d));
 - (iii) information about how the individual may access and seek correction of their personal information, and how to make a complaint about a breach of the APPs (APPs 5.2(g) and (h)).
- (e) What constitutes 'reasonable steps' will depend on the circumstances. Relevant factors include:
 - (i) the sensitivity of the information – more rigorous steps may be required when 'sensitive information', or information of a sensitive nature, is collected;
 - (ii) the possible adverse consequences for an individual as a result of collection; and

⁵ *Community Attitudes to Privacy Survey 2017*, page 11.

- (iii) the practicability, including time and cost involved.⁶
- (f) There is a risk that individuals may not be aware that the ABS collects personal information about them from other agencies for migration and population statistics purposes, particularly in relation to MEDB data. Although the MEDB data will not include health information or other sensitive information, individuals may nevertheless consider Medicare enrolment information to be sensitive in nature. The privacy notice in the current Medicare enrolment application form includes the following information:⁷
- Your information will be used for the assessment and administration of payments and services. Your information may also be used within Human Services, where you have provided consent or it is required or authorised by law. Human Services may disclose your information to Commonwealth Departments, other persons, bodies or agencies ONLY where you have provided consent or it is required or authorised by law.*
- (g) Although the privacy notice (the content of which is likely to have historically changed over time) provides a general indication that a person's information may be 'required or authorised by law', it does not provide any guidance on what the scope of these circumstances may be. Individuals may not necessarily expect their Medicare enrolment details (or changes to their Medicare enrolment details) to be used for population statistical purposes generally (cf health-related research and statistics, which may more likely be within the scope of a person's reasonable expectations).
- (h) We also note that DIBP's current privacy policy⁸ indicates that movement records may be disclosed by DIBP for the purposes of '*prescribed Commonwealth, state or territory legislation, such as administration of first home owners programmes or children and/or welfare programmes*', and personal information may be disclosed by DIBP to the ABS '*to facilitate demographic research on new arrivals and analysis of various migration programmes and settlement outcomes*'. However, the scope of the privacy policy does not address the disclosure and use of movement records for population statistics purposes.
- (i) The ABS proposes to raise public awareness about the Project through the following communication initiatives:
- (i) media releases and media talking points in relation to the Project will be prepared by the ABS, in partnership with DIBP and DHS;
 - (ii) a description of the Project will also be included on the National Statistical Service (NSS) Data Integration Project Register;⁹
 - (iii) the Project will be included in the list of 'Data Integration projects' listed on the ABS website; and
 - (iv) published OAD and demographic statistics will include information about data sources in the 'notes' and 'explanatory notes' sections, as well as the data integration methodology.
- (j) Another way in which the ABS could promote transparency in relation to the collection of, and data linkages between, TRIPS and MEDB data is through the ABS's Privacy Policy. We are instructed that the Privacy Policy is currently under review, and is expected to be updated following that review. The inclusion of information in the Privacy Policy about the fact that the ABS collects movements information from DIBP, and Medicare data from DHS, would also promote compliance with the ABS's obligations under APPs 1.3 and 1.4 (content of APP privacy policy).

⁶ APP Guidelines, paragraph 5.4.

⁷ Available on the DHS website as at July 2017: <https://www.humanservices.gov.au/sites/default/files/documents/3101-1306en.pdf>.

⁸ As at July 2017, available at: <https://www.border.gov.au/about/access-accountability/plans-policies-charters/policies/privacy>.

⁹ <http://www.nss.gov.au/nss/home.NSF/pages/Data%20Integration:%20Project%20Register%20-%20Help>.

Recommendation 1: To promote transparency and public debate about the benefits of, or any privacy concerns relating to, the Project:

- the project description on the National Statistical Service (**NSS**) Data Integration Project Register should include information about the nature of the information that will be collected by the ABS from DIBP and DHS, and why that information is required by the ABS; and
- the ABS website should include clear and accessible information about the Project, including a link to the NSS Data Integration Project Register.

Recommendation 2: As part of the review of the ABS Privacy Policy, consideration should be given to including information about the collection of TRIPS and MEDB data from DIBP and DHS, and the use of that information in data integration processes.

4.4 Quality of personal information

- (a) APP 10 requires the ABS to take reasonable steps to ensure that:
- (i) the personal information collected by the ABS is accurate, up to date and complete (APP 10.1); and
 - (ii) the personal information that the ABS uses or discloses is (having regard to the purpose of the use or disclosure) accurate, up to date, complete and relevant (APP 10.2).
- (b) What constitutes 'reasonable steps' depends on the circumstances. Relevant factors may include the sensitivity of the information, the nature of the entity holding the information, and the possible adverse consequences for an individual if the quality of personal information is not ensured.¹⁰
- (c) The TRIPS and MEDB data will not include 'sensitive information', and the use of that data by the ABS to produce OAD, NOM and ERP statistics will not have any direct consequences for relevant individuals.
- (d) The ABS will rely on DIBP and DHS as 'trusted sources' of TRIPS and MEDB data. Under the arrangements between the ABS and DIBP for the provision of TRIPS data, each agency will notify the other of any data quality issues identified through processing and analysing data.¹¹ The effect of the ABS's agreement with DHS about the data to be provided is that any corrections or other changes made to an individual's information by DHS will be supplied to ABS as part of the next data provision.
- (e) During the feasibility project in 2016, the ABS tested the TRIPS and MEDB data linkage and integration process. The testing results found that the quality of the data received from DIBP and DHS and produced through data integration was sufficient for the purposes of population estimates. Data linkage processes during the course of the Project will also continue to be subject to quality assurance.
- (f) In the circumstances, we do not consider the Project raises any material APP 10 compliance risks.

¹⁰ APP Guidelines, paragraph 10.6.

¹¹ *Subsidiary Agreement No. 10 – ABS/DIBP Programme Administration for the exchange of Overseas Arrivals and Departures and Net Overseas Migration Data* (26 May 2017), page 8.

5. Data Integration

- (a) Under APP 6.1, personal information that has been collected by the ABS for a particular purpose (the 'primary purpose') must not be used or disclosed for another purpose (the 'secondary purpose') unless the individual has given their consent, or a permitted circumstance specified in APP 6.2 applies. These exceptions include where:
 - (i) the individual would reasonably expect the agency to use or disclose the information for the secondary purpose, and the secondary purpose is:
 - (A) if the information is 'sensitive information' – directly related to the primary purpose; or
 - (B) if the information is not sensitive information – related to the primary purpose (APP 6.2(a)); or
 - (ii) the use or disclosure is required or authorised by or under an Australian law (APP 6.2(b)).
- (b) The data linkage and integration processes will involve a use of personal information contained in the TRIPS and MEDB source data files, as well as information contained in the linkage input, concordance, output and analysis files.
- (c) We consider that this use will be consistent with APP 6.1, on the basis that the information will only be used for the primary purpose for which it was collected (i.e. the compilation of statistics, and not for any other purpose. In the case of MEDB data in particular, that information will only be used for the purposes of this particular Project.
- (d) The extent to which TRIPS and MEDB data will be used (i.e. accessed and handled by staff) within the ABS will be limited by 'functional separation' procedures which ensure identifying information is used only for the purposes of data linkage, and that staff only access information on a 'need to know' basis according to the following key data linkage roles:
 - (i) **Librarian:** The Librarian performs processes such as the acquisition of source files from DIBP and DHS that are to be used for data linkage activities, assigning a random identifier for each record, anonymisation, and other data preparation.
 - (ii) **Linker:** The Linker performs the linkage of the TRIPS and MEDB datasets being brought together. Access is limited to the fields required for linking.
 - (iii) **Assembler:** The Assembler creates the linked analysis file. The Assembler has access to the output files produced as part of the linkage process, as well as the concordance files and analysis items files, allowing them to produce the linked analysis file. The Assembler does not have access to identifying variables used for linking.
 - (iv) **Analyst:** The Analyst conducts analysis on the linked analysis file, and produces aggregate statistical data for publication or release. Access is limited to the data needed for analytical purposes, and does not include identifying information or information that might allow content data to be linked back to identifying information (i.e. the TRIPS Name File Data and MEDB data provided by DIBP and DHS).
- (e) We consider the functional separation approach to be a privacy positive measure to mitigate risks relating to the use of TRIPS and MEDB data for secondary purposes, including future 'function creep' risks. We also note that:
 - (i) any proposed use of TRIPS and MEDB data for another (or additional) project¹² will, in accordance with the ABS's governance processes, be subject to a separate project approval process that includes an assessment of privacy risks; and
 - (ii) the ABS advises that as the MEDB information is limited to a very limited number of fields, its utility for other data linkage and statistical purposes is minimal.

¹² We note that TRIPS data is already collected by the ABS from DIBP for various statistical purposes.

6. Publication of statistics

- (a) Sections 12 and 13 of the Census and Statistics Act require the ABS to ensure that information is not released in a way that is likely to enable an entity to be identified.
- (b) Data will be linked via anonymised name information, sex, DOB and limited address information. The ABS has undertaken a risk assessment, and formed the view that the likelihood of an individual being identified in published population statistics is low. Assuming that is correct, no personal information will be disclosed outside the ABS.

7. Other Privacy Considerations


7.1 Anonymity and pseudonymity

- (a) APP 2.1 requires the ABS to give individuals the option of not identifying themselves, or of using a pseudonym, when dealing with an APP entity in relation to a particular matter, unless:
 - (i) the ABS is required or authorised by or under an Australia law, or by a court/tribunal order, to deal with individuals who have identified themselves; or
 - (ii) it is impracticable for the ABS to deal with individuals who have not identified themselves, or who have used a pseudonym.
- (b) APP 2 has limited practical application in relation to the Project, as the ABS will not be dealing directly with individuals to whom the TRIPS and MEDB data relates. In any event:
 - (i) the ABS requires information about identifiable individuals in order to perform the data linkage between the TRIPS and MEDB data;
 - (ii) for the reasons discussed above in paragraph 4.1, the collection of the TRIPS and MEDB data will be authorised by law;
 - (iii) as part of the data linkage process, names will be anonymised and new random record linkage IDs will be assigned in respect of each individual.
- (c) We therefore do not consider the Project raises any material APP 2 compliance risks.

7.2 Data security

- (a) APP 11 requires the ABS to take 'such steps as are reasonable in the circumstances' to maintain the security of the personal information it holds. This obligation also extends to the protection of personal information in transmission.
- (b) The types of security measures that an agency could implement to meet its APP 11 obligations may include the following:
 - (i) governance, culture and training;
 - (ii) internal practices, procedures and systems;
 - (iii) ICT security;
 - (iv) access security;
 - (v) contractual obligations and arrangements with third party providers;
 - (vi) data breach response plan;
 - (vii) physical security;
 - (viii) destruction and de-identification of data; and
 - (ix) compliance with data security standards.¹³

¹³ APP Guidelines, paragraph 11.8. See also the OAIC's *Guide to securing personal information*.

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- (c) The ABS advises that the following security strategies have been, or will be, implemented in relation to the Project. These strategies have been informed by a risk assessment process undertaken by the ABS in relation to the Project:
- (i) the ABS's IT systems comply with IT security arrangements set out in the Australian Signals Directorate's (**ASD**) *Australian Government Information Security Manual*;
 - (ii) access to all ABS premises is strictly controlled in accordance with the *Protective Security Policy Framework (PSPF)*;
 - (iii) upon appointment, all ABS staff are:
 - (A) subject to security checks, including security clearances when required; and
 - (B) are required to sign an *Undertaking of Fidelity and Secrecy* under section 7 of the Census and Statistics Act – it is an offence under section 19 of that Act for an ABS officer to disclose information obtained under the Act;
 - (iv) all ABS staff are required to undertake compulsory biennial refresher training in relation to their security and confidentiality responsibilities;
 - (v) the ABS internet gateway is annually reviewed for compliance against ISM requirements by an independent ASD accredited Information Security Registered Assessors Program (**IRAP**) assessor;
 - (vi) regular PSPF risk reviews are undertaken in relation to ABS security arrangements to ensure they remain effective;
 - (vii) there is an ongoing program of security audits and reviews of computer systems and the physical environment;
 - (viii) access to data is limited on a need to know basis according to role-based access controls, and only internal ABS staff in the Demography Section and the DLC will have access to unit record data;
 - (ix) ABS staff with access to name, address and other linking variables will not have access to any analytical variables;
 - (x) the MEDB data will include scrambled Medicare card numbers, so that the ABS does not collect real government identifiers used for Medicare purposes;
 - (xi) to further minimise the risk of identification of an individual, name and address information will not appear on the linked file, and only state information will be included;
 - (xii) the ABS has existing processes in place for responding to data breaches, and the ABS has engaged an external consultant to develop a Privacy Management Plan.
- (d) We consider the above measures will constitute 'reasonable steps' for the purposes of APP 11.

7.3 Data retention

- (a) The unnecessary retention of personal information that is no longer required for a function or activity can raise potential risks in relation to the use of that information for secondary purposes, as well as data security risks.
- (b) ABS will retain the source MEDB information for the duration of the Project. ABS will retain the source TRIPS information for at least 22 months from the date of collection. ABS advises that at this time, 22 months is considered to be the minimum period necessary to calculate state of residence statistics.
- (c) If the Project is discontinued after June 2020, the ABS will retain the MEDB and TRIPS datasets for a further 22 months. The ABS advises that at this time, 22 months is considered to be the minimum period necessary to calculate state of residence statistics.

Recommendation 3: At the end of the three year Project period, if a decision is made to continue the Project:

- the data retention periods should be reviewed to ensure that TRIPS and MEDB data is only retained for the minimum period reasonably required to obtain and manage the quality of the statistical data produced by the data integration process;
- appropriate procedures are implemented for the secure deletion of data that is no longer required; and
- any material changes to the Project should be subject to a separate PIA

7.4 Data access and correction

- (a) Under APP 12, individuals must be provided with access to their own personal information, unless an exception applies (for example, if the agency is required or authorised to refuse access under another Commonwealth law that provides for access to documents, such as the *Freedom of Information Act 1982* (Cth)).
- (b) APP 13 requires agencies to take reasonable steps, on request by an individual, to correct any personal information they hold to ensure it is accurate, relevant, up to date, complete and not misleading, having regard for the purpose for which it is held.
- (c) The ABS has existing processes in place to enable individuals to access and seek correction of their own personal information. We consider this will satisfy the ABS's obligations under APPs 12 and 13, noting that:
 - (i) under APP 12, an agency can refuse to give an individual access to their own personal information where the agency is required or authorised to do so under the *Freedom of Information Act 1982* (Cth) (**FOI Act**);
 - (ii) pursuant to subsection 7(2) and Part II, Division 2 in Schedule 2 of the FOI Act, the ABS is exempt from the operation of the FOI Act in relation to documents containing information collected under the Census and Statistics Act, which means that under APP 12.2 the ABS is not required to give an individual access to such information.

7.5 Privacy Policy

- (a) APP 1.3 requires the ABS to have a clearly expressed and up to date privacy policy about its management of personal information, which addresses the matters specified in APP 1.4. These matters relevantly include:
 - (i) the kinds of personal information that the ABS collects and holds (APP 1.4(a));
 - (ii) how the ABS collects and holds personal information (APP 1.4(b)); and
 - (iii) the purposes for which the ABS collects, holds, uses and discloses personal information (APP 1.4(c)).
- (b) The scope of the ABS Privacy Policy does not cover the collection of personal information from DIBP and DHS, and the integration of that data. We refer to **Recommendation 2**.

Schedule 1 – Detailed information flows

Step	Description	Information Flow
Data Sourcing		
1.	<p>Each month, DIBP will provide the ABS with an encrypted TXT file subset of the TRIPS movements dataset (TRIPS Movements File), and will contain the TRIPS Movement File Data listed in Item 1 of Schedule 2 to this report.</p> <p>The file will be delivered via a secure electronic facility to the ABS Migration Analysis and Reporting Team in the Demography Section, who will then forward the data file to the ABS Data Linkage Centre (DLC).</p>	<p>ABS collects personal information about individuals travelling in and out of Australia from DIBP, for the purposes of producing OAD, NOM and ERP statistics.</p> <ul style="list-style-type: none"> ➤ Note: This data file is currently provided by DIBP to the ABS's Demography section for other statistical purposes. Rather than duplicate the collection of TRIPS movements data for the purposes of this project, the ABS will 're-use' the existing files. ➤ The provision of parts of TRIPS movement records by DIBP to the ABS is authorised under: <ul style="list-style-type: none"> • s 488(2)(vii) of the Migration Act; • reg 3.10A(1) of the Migration Regulations; and • Item 43 in Schedule A to the instrument IMMI 16/090, made under reg 3.10A of the Migration Regulations. ➤ Statistical information is collected by the ABS under s 9 of the Census and Statistics Act.
2.	<p>Each month, DIBP will also provide the ABS with a second encrypted TXT file (TRIPS Name File) that contains the TRIPS Name File Data listed in Item 2 of Schedule 2 to this report.</p> <p>The file will be delivered via a secure electronic facility to the ABS DLC directly. (Name information is only required for data linking, and therefore is only provided to DLC. The Demography Section does not require name information for the purposes of their processing tasks.)</p>	<p>ABS collects personal information about individuals travelling in and out of Australia from DIBP, for the purposes of producing OAD, NOM and ERP statistics.</p> <ul style="list-style-type: none"> ➤ The provision of parts of TRIPS movement records by DIBP to the ABS is authorised under: <ul style="list-style-type: none"> • s 488(2)(vii) of the Migration Act; • reg 3.10A(1) of the Migration Regulations; and • Item 43 in Schedule A to IMMI 16/090.

Step	Description	Information Flow
		<ul style="list-style-type: none"> ➤ Statistical information is collected by the ABS under s 9 of the Census and Statistics Act.
3.	<p>For the initial MEDB dataset release, DHS provided the ABS with the Medicare enrolment data (MEDB Data Items) listed in Item 3 of Schedule 2 to this report, in relation to all individuals with an active Medicare enrolment between 1 January 2016 and 31 May 2017:</p> <p>The MEDB Data Items are required by the ABS to identify the same person over time, so that it can determine which records to update.</p> <ul style="list-style-type: none"> ➤ Consumer start date, consumer end date, entitlement type, entitlement status, death date and card expiry date will be used to determine who is in and out of scope for each data linkage. If a person has died or their Medicare entitlement has otherwise ended, that person will be included in the first reference month for data linkage (in case they may have travelled before their death or Medicare entitlement cessation), and then removed for future months' linkages. ➤ DHS has advised the ABS that a person may have an entitlement status change where a new Medicare card has been issued to that person. The scrambled Medicare card number is provided to that the ABS can ensure that the person's record provision is not removed from the linkage simply for this reason. <p>The initial MEDB dataset was provided by DHS on an encrypted USB to an authorised ABS officer (as set out in the MEDB PIC (Initial Release)). The data was then saved to the ABS secure system, and the USB returned to DHS.</p>	<p>ABS collects personal information about all individuals with active Medicare enrolments from 1 January 2016 from DHS, for the purposes of producing OAD, NOM and ERP statistics.</p> <ul style="list-style-type: none"> ➤ The provision of the Medicare enrolment data items by DHS to the ABS is authorised under the MEDB PIC (Initial Release) dated 17 May 2017, made under s 130(3)(a) of the Health Insurance Act. ➤ Statistical information is collected by the ABS under s 9 of the Census and Statistics Act.
4.	<p>In subsequent months following the initial MEDB dataset, DHS will provide 'update files' which contain MEDB Data Items about the following individuals:</p> <ul style="list-style-type: none"> • <i>newly eligible consumers</i> – these are individuals that have a consumer start date or entitlement start date within the reference (i.e. time) period for that data extract; • <i>consumers no longer eligible</i> – these are individuals who have a death date, consumer end date, card expiry date or entitlement end date within 	<p>ABS collects personal information from DHS about all newly eligible Medicare customers, individuals who are no longer eligible for Medicare enrolment, and individuals with changes to certain Medicare enrolment details, for the purposes of producing OAD, NOM and ERP statistics.</p> <ul style="list-style-type: none"> ➤ The provision of the Medicare enrolment data items by DHS to the ABS, is authorised under the MEDB PIC (Ongoing Release) dated 14 June 2017, made under s 130(3)(a) of the Health Insurance Act. This PIC covers data releases for a 12 month period.

Step	Description	Information Flow
	<p>the reference period for that extract;</p> <ul style="list-style-type: none"> • <i>existing consumers where there has been a change or update to the following data items within the reference for that extract:</i> <ul style="list-style-type: none"> ○ <i>surname;</i> ○ <i>legal first name;</i> ○ <i>preferred first name;</i> ○ <i>sex;</i> ○ <i>entitlement type;</i> ○ <i>entitlement status;</i> ○ <i>birth date;</i> ○ <i>mailing state;</i> ○ <i>mailing postcode;</i> ○ <i>residential state; or</i> ○ <i>residential postcode.</i> <p>The update files are currently being provided by DHS on an encrypted USB. However, ABS is exploring alternative secure data transfer options with DHS, for example the ABS Secure Deposit Box, or a Secure File Transfer Protocol.</p>	<ul style="list-style-type: none"> ➤ Statistical information is collected by the ABS under s 9 of the Census and Statistics Act.
Data Linkage		
5.	<p>An ABS 'Librarian' officer:</p> <ul style="list-style-type: none"> • receives the TRIPS movements and name files, and the MEDB data file; • combines the two TRIPS files using the 'person ID'; • applies an anonymisation process to randomly scramble the names of individuals in each source file (i.e. TRIPS and MEDB data files); • creates linkage input files, with newly assigned record linkage IDs and anonymised names, which contain the Linkage Input File Data listed in 	<p>ABS uses personal information contained in the TRIPS and MEDB data files, for the purposes of producing OAD, NOM and ERP statistics.</p> <ul style="list-style-type: none"> ➤ The use of TRIPS movement record data by ABS officers for the purpose of carrying out their official functions (including functions under the <i>Census and Statistics Act 1905</i> (Cth)) is specifically authorised under: <ul style="list-style-type: none"> • s 488(2)(g) of the Migration Act;

Step	Description	Information Flow
	<p>Item 3 of Schedule 2 to this report;</p> <ul style="list-style-type: none"> creates a 'record concordance file' – this contains the correspondence or mapping between the original IDs and two new random IDs; creates analytical variables for the 'Assembler' using TRIPS movement file data (person ID, movement date, direction, movement state, pax/crew code), MEDB state and postcode fields, and derived Australian and New Zealand citizenship flags; provides the linkage input files (one each for TRIPS data and MEDB data) to the 'Linker' officer; and provides the record concordance file and analytical variables file to the 'Assembler' officer. 	<ul style="list-style-type: none"> reg 3.10A(2) of the Migration Regulations; and Item 6 in Schedule B to IMMI 16/090. <p>ABS collects personal information in the form of the linkage input and concordance files created by the ABS, for the purposes of producing OAD, NOM and ERP statistics.</p>
6.	<p>The ABS Linker links the TRIPS and MEDB data, using name, date of birth, sex and state of residence as the key linking variables. The 'linkage output file' (i.e. the results of the linkage process) will contain the following Linkage Output File Data:</p> <ul style="list-style-type: none"> linkage ID (MEDB); linkage ID (TRIPS); and quality indicator. <p>The Linker provides the linkage output file to the Assembler.</p>	<p>ABS:</p> <ul style="list-style-type: none"> uses personal information to create the linkage output file; and collects personal information in the form of linkage IDs contained in the linkage output file (on the basis that the ABS would be able to ascertain the identities of individuals by combining those linkage IDs with other TRIPS and MEDB data held by the ABS), <p>for the purposes of producing OAD, NOM and ERP statistics.</p>
7.	<p>The Assembler creates a 'linked analysis file' using the linkage output file, analytical variables and the record concordance file. The linked analysis file will contain the Linked Analysis File Data listed in in Item 7 of Schedule 2 to this report.</p>	<p>ABS:</p> <ul style="list-style-type: none"> uses personal information contained in the linkage output file and record concordance file; and collects personal information in the form of the linked analysis file created by the ABS, <p>for the purposes of producing OAD, NOM and ERP statistics.</p>
8.	<p>An ABS 'Analyst' officer will use the linked analysis file in conjunction with other TRIPS information to derive OAD, NOM and ERP for each Australian state and territory.</p>	<p>ABS uses personal information contained in the linked analysis file and other TRIPS information, for the purposes of producing OAD, NOM and ERP statistics.</p>

Step	Description	Information Flow
Data Reporting		
9.	ABS publishes aggregate demographic statistics with State/Territory counts, including OAD, NOM and ERP.	<p>ABS uses personal information to produce aggregate (de-identified) data, for the purposes of publishing the results of statistical analysis under s 12 of the Census and Statistics Act.</p> <p>No identifiable information at the unit record level is disclosed by the ABS in published demographic statistics.</p>
Data Storage		
10.	<p>ABS will retain:</p> <ul style="list-style-type: none"> • TRIPS data (i.e. date on the TRIPS subset and name files) and MEDB data at least until the Project is reviewed in June 2020, and, if the Project is discontinued, for a further minimum period of 22 months; • linked datasets (including the linkage input, output, analysis and concordance files) indefinitely. 	ABS holds / stores personal information contained in TRIPS and MEDB data files, and linked datasets.

Schedule 2 – Data Items

1. TRIPS Movements File Data

- Person ID (randomly assigned by DIBP)
- Movement date
- Movement state
- Direction of movement (arrival or departure)
- Port code
- Travel document country (i.e. generally the issuing country of a person's passport) -
- Visa subclass¹⁴
- Pax/crew code¹⁵

2. TRIPS Name File Data

- Person ID (randomly assigned by DIBP, and is the same person ID included in the TRIPS Movement File Data)
- Family name
- Given name
- DOB
- Sex

3. MEDB Data Items

- Surname
- Legal first name
- Preferred first name
- Residential state
- Residential postcode
- Mailing state
- Mailing postcode
- DOB
- Sex
- Scrambled Medicare card number
- Scrambled Medicare PIN
- Medicare card expiry date
- Consumer start date
- Consumer end date
- Entitlement type
- Entitlement status
- Death date

¹⁴ Visa subclass, together with information on the issuing country of the travel document, is used to determine a proxy field 'Australian' that is likely to correspond to a similar field in the MEDB dataset, and is used in the linkage process.

¹⁵ Pax/crew code is provided by DIBP so that the ABS can: (a) identify and remove crew from further data processing; and (b) monitor how many records are being removed each month by this business rule.

4. Linkage Input Files Data¹⁶

- Linkage ID (new random ID assigned by the ABS)
- Anonymised first name
- Anonymised surname
- Anonymised and standardised first name
- Anonymised and standardised surname
- DOB
- State (clearance for TRIPS, residence for MEDB)
- Australian flag (1 if 'Australian')

5. Record Concordance File Data

- TRIPS person ID (provided by DIBP as part of the TRIPS Movements File Data and TRIPS Name File Data)
- MEDB scrambled identifier (provided by DHS)
- Linkage ID (MEDB) (new random ID assigned by the ABS for an MEDB record)
- Linkage ID (TRIPS) (new random ID assigned by the ABS for a TRIPS record)

6. Linkage Output File Data

- Linkage ID (MEDB) (new random ID assigned by the ABS for an MEDB record)
- Linkage ID (TRIPS) (new random ID assigned by the ABS for a TRIPS record)
- Quality indicator

7. Linked Analysis File Data

- TRIPS person ID¹⁷ (provided by DIBP as part of the TRIPS Movements File Data and TRIPS Name File Data)
- Movement direction (i.e. arrival or departure)
- Date of movement
- MEDB state (i.e. state of residence, derived from MEDB state and MEDB postcode)
- Linking quality flag (i.e. a quality indicator of the linking of TRIPS and MEDB data)
- MEDB state change (binary flag of 0 or 1 indicating yes or no)

¹⁶ There is one linkage data file each from TRIPS data and MEDB data.

¹⁷ This is required in statistical processing for the ABS to combine the state information produced from the linkage process, with the other TRIPS information.

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Schedule 3 - MEDB Public Interest Certificate (Initial Release),
pages 27-28

and

Schedule 4 - MEDB Public Interest Certificate (Ongoing Release),
pages 29-31

Schedule 5 – Summary of the APPs

1. Collection of personal information

1.1 Anonymity and pseudonymity

Wherever it is lawful and practicable in the circumstances, APP 2 requires Commonwealth agencies to give individuals the option of interacting anonymously or by using a pseudonym.

1.2 Collection necessity

APP 3.1 requires Commonwealth agencies to collect personal information only where it is necessary for, or directly related to, a purpose that is directly related to a function or activity of the agency.

1.3 Collecting sensitive personal information

APPs 3.3 and 3.4 limit the circumstances in which Commonwealth agencies can collect 'sensitive information'. Some of the permitted circumstances include where the individual has given consent, where collection is required or authorised by or under an Australian law, or (where it is unreasonable or impracticable to obtain the individual's consent) the collection is necessary to lessen or prevent a serious threat to the life, health or safety of an individual.

1.4 Collection methods – lawful, fair and not intrusive

APP 3.5 requires Commonwealth agencies to only collect personal information by lawful and fair means.

1.5 Direct collection

APP 3.6 requires Commonwealth agencies to collect personal information about an individual from that person unless:

- (a) the individual consents to the agency collecting the information from a third party (APP 3.6(a)(i));
- (b) the agency is required or authorised by or under an Australian law to collect the information from a third party (APP 3.6(a)(ii)); or
- (c) it is unreasonable or impracticable to collect the information directly from the individual (APP 3.6(b)).

1.6 Collection transparency

APP 5 requires agencies, when collecting personal information about an individual, to take such steps as are reasonable in the circumstances to ensure that the individual is aware of a number of matters, which include the following:

- (a) the purposes for which the individual's personal information is being or has been collected;
- (b) whether the collection is authorised or required by law;
- (c) if the agency collects, or has collected, personal information from a third party, the fact that the agency so collects or has collected the information, and the circumstances of the collection; and
- (d) any third parties to whom it is the agency's usual practice to disclose that information.

2. Use and disclosure

2.1 Use and disclosure of personal information

APP 6 imposes limitations around the use and disclosure of personal information for a purpose other than the purpose for which the information was collected in the first place (i.e. a secondary purpose). There are also additional restrictions in relation to the use and disclosure of 'sensitive information'.

2.2 Use and disclosure of unique identifiers

APP 7 limits the collection and use of government-issued identifiers by private sector organisations. There are no limitations under the APPs in relation to the collection, use or disclosure of government-related identifiers by agencies.

2.3 Cross-border disclosures

APP 8 imposes additional restrictions in relation to the disclosure of personal information to an overseas recipient.

3. Data quality

APP 10 requires agencies to take reasonable steps (if any) to ensure that:

- (a) the information they collect is relevant to the purpose of collection, and is up to date and complete; and
- (b) the information is accurate prior to using or disclosing it.

4. Data security

APP 11 requires Commonwealth agencies to take reasonable security safeguards to ensure that the information they hold is protected against loss, unauthorised access, use, modification or disclosure, and against other misuse.

5. Access and correction

APP 12 requires agencies to provide individuals with access to their own personal information, unless an exception applies (for example, the agency is required or authorised to refuse access under another Commonwealth law that provides for access to documents, such as the *Freedom of Information Act 1982* (Cth)).

APP 13 requires agencies to take reasonable steps to correct any personal information they hold to ensure it is accurate, relevant, up to date, complete and not misleading.

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Schedule 6 - Sources of Information,
pages 34-35

Schedule 7 – Glossary and acronyms

Term or Acronym	Meaning
ABS	Australian Bureau of Statistics
APPs	Australian Privacy Principles
APP Guidelines	The <i>Australian Privacy Principles Guidelines</i> (as at 1 April 2015), prepared by the Australian Information Commissioner under section 28 of the Privacy Act.
Census and Statistics Act	<i>Census and Statistics Act 1905</i> (Cth)
Census and Statistics Regulation	<i>Census and Statistics Regulation 2016</i> (Cth)
DHS	Department of Human Services
DIBP	Department of Immigration and Border Protection
DLC	The ABS Data Linkage Centre
DOB	Date of birth
ERP	Estimated resident population
FOI Act	<i>Freedom of Information Act 1982</i> (Cth)
Governance Arrangements	<i>Data Integration Involving Commonwealth Data for Statistical and Research Purposes: Governance and Institutional Arrangements</i> (6 October 2010)
Health Insurance Act	<i>Health Insurance Act 1973</i> (Cth)
Health Minister	Minister for Health
High Level Principles	<i>High Level Principles for Data Integration Involving Commonwealth Data for Statistical and Research Purposes</i> (3 February 2010)
IMMI 16.090	<i>Movement Records 2016/090 (IMMI 16/090)</i> dated 2 September 2016, made by William Reis (a delegate of the Minister for Immigration and Border Protection) under regulation 3.10A of the Migration Regulations (available at https://www.legislation.gov.au/Details/F2016L01404).
Immigration Minister	Minister for Immigration and Border Protection
IRAP	Information Security Registered Assessors Program
Linkage Input File Data	The data items listed in Item 4 of Schedule 2.
Linkage Output File Data	The data items listed in Item 6 of Schedule 2.
Linked Analysis File Data	The data items listed in Item 7 of Schedule 2.
MEDB	Medicare Enrolments Database
MEDB Data Items	The data items listed in Item 3 of Schedule 2.
MEDB PIC (Initial Release)	The PIC dated 17 May 2017, made by Natasha Cole (a delegate of the Health Minister) under paragraph 130(1)(a) of the Health Insurance Act, which covers the initial (first) release of MEDB data by DHS to the ABS. A copy of the MEDB PIC (Initial Release) is set out in Schedule 3 of this report.

Term or Acronym	Meaning
MEDB PIC (Ongoing Release)	The PIC dated 14 June 2017, made by Mark Cormack (a delegate of the Health Minister) under paragraph 130(1)(a) of the Health Insurance Act. This PIC covers the release of MEDB data by DHS to the ABS for 12 months following the initial release. A copy of the MEDB PIC (Ongoing Release) is set out in Schedule 4 of this report.
NOM	Net overseas migration
NSS	National Statistical Service
OAD	Overseas arrivals and departures
OAIC	Office of the Australian Information Commissioner
personal information	As defined in subsection 6(1) of the Privacy Act.
PIC	Public Interest Certificate
PIN	Medicare personal identifier number
Project Period	The term of the ED Pilot, which will initially be from 29 June 2017 to 19 January 2018, but may be extended.
Privacy Act	<i>Privacy Act 1988</i> (Cth)
Privacy Policy	ABS Privacy Policy (published on the ABS website as at July 2017: http://www.abs.gov.au/websitedbs/D3310114.nsf/Home/Privacy+Policy).
Record Concordance File Data	The data items listed in Item 5 of Schedule 2.
TRIPS	Travel and Immigration Processing System
TRIPS Movements File	A subset of the TRIPS movements dataset which is provided by DIBP to the ABS, and contains the TRIPS Movements File Data.
TRIPS Movements File Data	The data items listed in Item 1 of Schedule 2.
TRIPS Name File Data	The data items listed in Item 2 of Schedule 2.