



Privacy Notice – Collection of personal information for the purposes of the Appointed Lawyer Scheme under the *Australian Security Intelligence Organisation Act 1979* (APP 5)

The Department of Home Affairs' (the Department) is bound by the Australian Privacy Principles (APPs) in Schedule 1 to the *Privacy Act 1988* (Cth) (Privacy Act). The APPs regulate how we collect, use, store and disclose personal information, and how you may seek access to, or correction of, the personal information that we hold about you.

This notice explains why we (the Department) are collecting your personal information and how we will manage it. Further information about our personal information handling practices is available from the Department's privacy policy, which you can access [here](#).

Why we collect your personal information

We are collecting your personal information for the purpose of establishing a register of suitably qualified criminal defence lawyers who may be appointed to represent the subject of a questioning warrant issued under Division 3 of Part III of the *Australian Security Intelligence Organisation Act 1979* (ASIO Act).

If your personal information is not collected, your details cannot be included on the register which will be used by a prescribed authority to select and appoint a lawyer in connection with a questioning warrant.

How we collect your personal information

We will generally collect information directly from you. Your information will be included on a private register maintained by the Department of Home Affairs for the purpose of the Appointed Lawyers Scheme under Division 3 of Part III of the ASIO Act.

Who we disclose your personal information to

Questioning under a questioning warrant is overseen by an independent prescribed authority appointed by the Attorney-General. A prescribed authority provides directions during the execution of the questioning warrant in accordance with Division 3 of Part III of the ASIO Act. In certain circumstances, the prescribed authority may make a direction to appoint a lawyer for the subject of a questioning warrant.

We may disclose personal information that we collect about you to the Australian Security Intelligence Organisation, a prescribed authority for the purpose of appointing you as a lawyer to represent the subject of a questioning warrant and, where necessary, the Attorney-General's Department.

Disclosure of personal information to overseas recipients

Your personal information will not be disclosed to an overseas recipient without your consent, or unless permitted by APP 6 and APP 8 in Schedule 1 to the Privacy Act.

How you can access or correct your personal information

You can make a request for access and correction of your personal information under the *Freedom of Information Act 1982* (Cth) and the Privacy Act. Our [Privacy Policy](#) explains how you can seek access to the personal information that we hold about you, or how can you seek to have this information corrected.

Concerns and complaints

The Department is committed to protecting the personal information with which it is entrusted in accordance with the Privacy Act. If you believe that the Department has handled your personal information in a way that breaches our obligations in the APPs, our [Privacy Policy](#) explains how you can make a complaint and how we will deal with your complaint.

How you can contact us

Full contact details can be found on the Department's website: www.homeaffairs.gov.au

Alternatively, you can provide feedback by:

- using the [online feedback form](#)
- writing to:
The Manager Global Feedback Unit
GPO Box 241
Melbourne VIC 3001 Australia