



**Ambulance Service  
of New South Wales**

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Ms Julie Dennett  
Acting Committee Secretary  
Standing Committee on Legal and Constitutional Affairs  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600

Dear Ms Dennett

**Inquiry into the *Privacy Legislation Amendment (Emergencies and Disasters)*  
*Bill 2006***

I refer to your letter dated 18 September 2006 seeking written submissions to the Legal and Constitutional Affairs Committee regarding the above Bill.

Thank you for the opportunity to comment on the draft. The *Privacy Act 1988* (Commonwealth) does not apply to the Ambulance Service of NSW. The Service must comply with the two State Privacy Acts – *Privacy and Personal Information Protection Act 1998* and the *Health Records and Information Privacy Act 2002* (the HRIP Act).

The Ambulance Service of NSW will collect personal information in an emergency or disaster. The purpose of the collection is to assess patients prior to providing advice, referral for further care or transport to hospital. Therefore, the Service can disclose any personal information related to that purpose or other related purposes as permitted by the HRIP Act.

The HRIP Act generally addresses the issues proposed in the draft Bill in that:

- HRIP Act has special collection provisions which are different to the Commonwealth Act
- HRIP Act has broad emergency and law enforcement discretions which would generally cover the circumstances referred to in the draft Bill

Therefore I would anticipate that if an emergency or disaster were to be declared, the collection, use and disclosure of personal health information necessary for the purposes of this Service would be permitted under the HRIP Act.

I trust this information is of assistance.

Yours sincerely

Greg Rochford  
**Chief Executive**