



Office of the Information Commissioner  
Queensland

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## Information Sheet

*Information Privacy Act 2009 (Qld)*

### Self-publishing and the privacy principles

#### Overview

This information sheet is intended to assist people in being aware of the privacy implications of publishing their own personal information by explaining how your privacy rights can be affected when you publish or give your personal information for the purposes of publication.

#### What is personal information?

The definition of personal information<sup>1</sup> provided in the *Information Privacy Act 2009* (Qld) (**IP Act**) is broad; it covers any information, whether true or not, about an individual that identifies them or could reasonably lead to their identification.

Some information is obviously about a person: such as date of birth, email address, medical records or employment history. Even if the information appears to be about something other than a person - a piece of land, for example - it can still be about a person if it reveals something about an individual, such as whether the owner has unpaid rates with the local council.

#### What does published mean?

For the purposes of the IP Act, 'publishing'<sup>2</sup> means to make information available to the public by way of television, newspaper, radio and the internet or other forms of communication. It also includes material that is provided for the purpose of publication, whether it is published or not.<sup>3</sup>

For example, you might publish your personal information or give it for the purpose of publication if you:

- Publish a profile, post an update or add a tag using a social networking site,<sup>4</sup> even if you have your privacy settings set to 'private' or 'friends only'.
- Like, comment on or share content of another social media user.
- Publish your contact details on a website or directory (including the White Pages and Yellow Pages).
- Give a statement to a journalist about a particular issue.

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<sup>1</sup> See section 12 of the IP Act.

<sup>2</sup> See section 28 of the IP Act.

<sup>3</sup> On a practical note, it will often be difficult for a third party to know the content of provided material until it is in fact, published.

<sup>4</sup> Examples of social media include social networking sites (such as Facebook and LinkedIn), content sharing sites (such as YouTube, Pinterest and Flickr), micro-blogging sites (such as Tumblr) and blogs, forums, discussion boards and wikis including Wikipedia.



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### Which privacy rights are affected when I publish my personal information?

Queensland government agencies<sup>5</sup> are not required to comply with the following privacy principles if you have published your personal information or given your personal information for the purpose of publication:

- Queensland Privacy Principle 6 (QPP 6), which governs use and disclosure of personal information; and
- QPP 10.2, which requires agencies to ensure personal information they use or disclose is accurate, up to date, complete and relevant.

This provision applies to personal information that is **related to or connected to** the personal information that was published.<sup>6</sup> A purpose of this provision is to provide Queensland Government agencies flexibility in responding to issues that have been placed in the public domain by individuals.

### What if I publish my personal information using a pseudonym?

People sometimes choose to use a pseudonym or alias instead of their true name when they publish. While the use of a pseudonym can give an individual a measure of privacy, it may not remove the possibility that a person's true name can be ascertained through the cross referencing of other information.<sup>7</sup>

### How can I take charge of my personal information?

Be aware of what you are agreeing to when you provide personal information for the purpose of publication so that you can make an informed decision about what information to provide.

For example, make sure you check what security controls and privacy settings are available and that you understand any limitations. Read the collection notice or privacy statement for an explanation of how your personal information will be used and to whom it will be disclosed. If you do not fully understand why the information is being collected or who it will be given to, contact the agency to find out more.

Finally, think before you make your personal information public. Although social networking sites provide an easy and convenient way to publicise your opinions, it is not uncommon for people to regret information they have posted because they did not think about the consequence of their post, or that their posting could be seen by an unintended audience.

For additional information and assistance please refer to the OIC's Information Sheets or contact the Enquiries Service on 07 3234 7373 or email [enquiries@oic.qld.gov.au](mailto:enquiries@oic.qld.gov.au).

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<sup>5</sup> In this information sheet all references to an 'agency' include Ministers, unless otherwise specified.

<sup>6</sup> Or given for the purpose of publication.

<sup>7</sup> The definition of 'personal information' in section 12 of the IP Act is broad enough to cover this situation, and as such it could potentially be considered as personal information.



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**This information sheet is introductory only, and deals with issues in a general way. It is not legal advice. Additional factors may be relevant in specific circumstances. For detailed guidance, legal advice should be sought.**

If you have any comments or suggestions on the content of this document, please submit them to [enquiries@oic.qld.gov.au](mailto:enquiries@oic.qld.gov.au).

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