



Interpreting the legislation – *Information Privacy Act 2009*

Key Privacy Concepts - reasonable

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1.0 Overview

The Key Privacy Concepts guidelines¹ explain important words and phrases used in the [Information Privacy Act 2009 \(Qld\) \(IP Act\)](#). They are intended to assist in the interpretation and application of the privacy principles in the IP Act.

2.0 IPPs and NPPs which reference 'reasonable' or 'reasonably'

The following Information Privacy Principles (IPPs) and National Privacy Principles (NPPs) contain the word 'reasonable' or 'reasonably':

- IPP 2(3), 2(4), 2(5)(b)
- IPP 3(3)
- IPP 4
- IPP 5
- IPP 7(1), 7(4)
- IPP 8
- IPP 10(1)(b), 10(1)(d)
- IPP 11(1)(a), 11(1)(c), 11(1)(e), 11(1)(f)(iv), 11(3), 11(4)
- NPP 1(3), 1(4), 1(5)
- NPP 2(1)(a)(ii), 2(d), 2(g)
- NPP 3
- NPP 4
- NPP 5(2)
- NPP 7(1), 7(4)

¹ The key concepts are based on and draw from the Key Concepts in the Victorian Privacy Commissioner's *Guidelines to the Information Privacy Principles, volume 2*.



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3.0 Meaning of 'reasonable'

Reasonableness requires a balanced and objective view to be brought to the question, one that looks beyond simply the agency's interests. A fair, proper, and moderate approach must be taken, to ensure that all relevant factors are considered and properly balanced.

Determining what is reasonable will depend on many factors, including the agency, its responsibilities, the personal information in question, the public interest in the proposed action, and any other relevant circumstances. Generally, the practical difficulty or cost will not make something unreasonable.

For additional information and assistance please refer to the OIC's guidelines or contact the Enquiries Service on 07 3234 7373 or email enquiries@oic.qld.gov.au.

This guide 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 feedback@oic.qld.gov.au.

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Changes to legislation after the update date are not included in this document