

## Your Privacy

Transport for NSW is committed to protecting your privacy and ensuring that your personal and health information is managed according to law. This Privacy Statement explains how we may use and disclose your personal and health information.

- Personal information is information or an opinion about you where your identity is apparent or can reasonably be ascertained from the information or opinion. Common examples include your name, address or photograph.
- Health information is personal information about your physical or mental health. For example, information such as whether you wear spectacles, take any medication or have any condition that might affect your driving.

You can find a complete definition of Personal Information and Health Information in the [Privacy and Personal Information Protection Act 1998](#) and the [Health Records and Information Privacy Act 2002](#). For the remainder of this Privacy Statement, a reference to 'personal information' includes health information unless stated otherwise.

## Collection & Use

We collect your personal information because it is relevant to the goods or services you wish to obtain from us, or the business or communication you want to carry on with us.

We perform a variety of functions under NSW transport and maritime legislation and the information we collect from you will relate to the specific service, business or communication you would like to conduct with us. This may include the collection of health information such as eyesight testing. Further information on our functions is available in our Annual Report which is available online at [transport.nsw.gov.au](http://transport.nsw.gov.au)

Our most common services include:

- driver licensing;
- vehicle and vessel registration; and
- regulating and managing road and maritime transport.

We will collect your personal information for these purposes, as well as for related purposes, such as updating your records. Once this information is collected, it may be accessed and used by us when we provide you with these and future services. We may also use it for quality assurance and statistical insights purposes.

To manage congestion and for transport planning we use a range of road-side technologies to monitor traffic flow while ensuring the data is anonymous in order to protect privacy.

## Disclosure

We may disclose your personal information as follows:

- **Accidents:** to first responders and interested parties and their insurers and lawyers when your vehicle or vessel has been involved in an accident or incident.
- **Safety Recalls:** to vehicle manufacturers so they can contact you about vehicle safety recalls.
- **Co-owners:** to a joint registered operator of your vehicle or vessel.
- **Interstate Licensing and Registration:** to other Australian road and maritime licensing and registration agencies, and to Austroads for inclusion on the National Exchange of Vehicle and Driver Information System (NEVDIS) to facilitate the management of road transport and maritime legislation between the states and territories (for example the transfer of vehicle registration to another state). See the [Austroads website](#) for the NEVDIS Privacy Policy.
- **Verification of Information and Documents:** to verify the accuracy of the personal information you provide to us. The Commonwealth has established the Document Verification System (DVS) to enable secure online real-time checking of official documents. We will validate your driver licence when requested by a participant in the DVS and we will also use the DVS to validate documents you provide to us (for example, if you provide your passport to us as proof of identity).<sup>1</sup>
- **National Facial Biometric Matching Capability:** the Commonwealth operates a secure facial recognition system ("the Capability") to facilitate facial matching services for law enforcement, national security, community safety and identity verification (for example, checking that you do not have more than one Australian driver licence). We will release your driver licence photograph and associated information to the Capability for those purposes<sup>2</sup>. If you provide us with photographic proof of your identity we may also use the Capability to verify that you are the person shown in that photograph. For more information visit [idmatch.gov.au](http://idmatch.gov.au)
- **Purchaser:** to a successor in title or proposed purchaser of any licence, lease or approval we grant in respect of any land, structure, activity or vessel (for example, if you lodge building plans with us we can provide a copy of them to the future owner or intending purchaser of the relevant land, vessel or jetty).
- **Bankruptcy and Insolvency:** to the Trustee in Bankruptcy, Official Receiver or Liquidator upon proper request by them.

- **Unpaid Tolls:** to a toll operator, where your vehicle has used a toll road, to assist with the recovery of any unpaid toll.<sup>3 & 4</sup>
- **Updating Toll Accounts:** advising toll service providers of vehicle transfers to prevent tolls being debited to the former owner's account.<sup>5</sup>
- **Demerit Point Checks:** to validate demerit points for Insurers for CTP insurance and Heavy Vehicle Operators for driver licence checks.<sup>6</sup>
- **Taxation:** to the Australian Taxation Office<sup>7</sup>
- **Minister:** in the course of reporting to any government Minister who has oversight over our functions.
- **By Consent:** to another person with your consent.
- **Where otherwise permitted by Law:** including for law enforcement purposes, or in response to a subpoena, court order, warrant or statutory demand under another law.

## Providing Your Personal Information

Sometimes we have a legal right to obtain your personal information if you want to conduct business with us. This includes where you want to apply for or renew or vary a:

- Vehicle registration<sup>8</sup>
- Driver licence<sup>9</sup>
- Mobility parking permit<sup>10</sup>
- Photo card<sup>11</sup>
- Driver Authority, operator accreditation and taxi/hire car licence for buses, taxis, hire cars and other public passenger transportation<sup>12</sup>
- Vessel registration, boat driving licence, marine pilot licence or aquatic licence<sup>13 & 14</sup>
- Mooring licence<sup>15</sup>

At other times there may be no legal obligation to provide your personal information, but we may ask for it to protect against fraud or it may not be practicable to assess your application or grant the relevant licence or provide the goods or services without asking you to provide it.

## Storage

Personal information that we collect is either held by us or securely stored with our I.T. service providers on our behalf. Under the *State Records Act 1998* we are required to retain and protect records, often for several years after a transaction has been completed.

<sup>1</sup> [Road Transport \(Driver Licensing\) Regulation 2017 clauses 114 - 115](#)

<sup>2</sup> [Road Transport 2013 s.271A](#)

<sup>3</sup> [Road Transport \(Vehicle Registration\) Regulation 2017 clause 133](#)

<sup>4</sup> [Road Transport \(Driver Licensing\) Regulation 2017 clause 104A](#)

<sup>5</sup> [Road Transport \(Vehicle Registration\) Regulation 2017 clause 133A](#)

<sup>6</sup> [Road Transport \(Driver Licensing\) Regulation 2017 clauses 112-113](#)

<sup>7</sup> [Taxation Administration Act 1953 - schedule 1 s.353-10](#)

## Accessing / Updating Information

You have a legal right to access and update your own personal information.

To access or amend your personal information please use the access application and the amendment application forms available at [transport.nsw.gov.au/about-us/transport-privacy](http://transport.nsw.gov.au/about-us/transport-privacy) or contact us using the contact details below.

Please note that historical records generally cannot be changed but we may be able to make a notation on our records of the change you have requested.

## Complaints

To make a privacy complaint please complete the Privacy Complaint Form available at [www.transport.nsw.gov.au/about-us/transport-privacy](http://www.transport.nsw.gov.au/about-us/transport-privacy) or contact us using the contact details below.

## Service NSW

Service NSW is a NSW Government "one stop shop" providing services to our customers on our behalf. This Privacy Statement applies whether the services are provided directly by us or by Service NSW on our behalf. For more information about Service NSW visit [service.nsw.gov.au](http://service.nsw.gov.au)

## Online Privacy

For information about the security of our website and the use of cookies please see our **online privacy policy** at [transport.nsw.gov.au/online-privacy](http://transport.nsw.gov.au/online-privacy)

## Opal Card

For information about the collection and management of Opal Card personal information please refer to the Opal Privacy Policy available at [opal.com.au/en/footer/privacy/](http://opal.com.au/en/footer/privacy/)

## Contacts & Further Information



[transport.nsw.gov.au/about-us/transport-privacy](http://transport.nsw.gov.au/about-us/transport-privacy)



[privacy@transport.nsw.gov.au](mailto:privacy@transport.nsw.gov.au)



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**Information and Privacy Commission NSW**

<sup>8</sup> [Road Transport \(Vehicle Registration\) Regulation 2017 clause 9](#)

<sup>9</sup> [Road Transport \(Driver Licensing\) Regulation 2017 clause 54](#)

<sup>10</sup> [Road Transport \(General\) Regulation 2013 clause 98](#)

<sup>11</sup> [Photo Card Act 2005 section 8](#)

<sup>12</sup> [Passenger Transport Act 2014 section 59](#)

<sup>13</sup> [Marine Safety Act 1998 ss.29-30](#)

<sup>14</sup> [Marine Safety Regulation 2016 clauses 74, 80A, 100, 108 and 110](#)

<sup>15</sup> [Ports and Maritime Administration Regulation 2012 clause 67V](#)