

Program Aim

The aim of the program is to enhance public safety in Byrnes Street in the Mareeba CBD by supporting businesses in identified priority locations to augment existing systems or to install new on-premise private CCTV to extend the surveillance of public areas.

Financial Assistance

- A one-off financial donation of up to \$500 will be provided to approved businesses in identified and approved priority locations in Byrnes Street in the Mareeba CBD to augment existing private CCTV systems or support the installation of new on-premise private CCTV systems to enhance public safety.
- The cash payment will be made to the business owner/operator after council approval is provided and the appropriate additional equipment has been purchased and installed by the business.
- Businesses in Byrnes Street in the Mareeba CBD may lodge an Expression of Interest Form which will be assessed using eligibility criteria listed below.

Eligibility

- 1) Businesses required to comply with the Australian Privacy Principles are not eligible for assistance under this program. The attached Office of the Australian Information Commissioner Checklist will be used to determine if the business is required to comply with the Australian Privacy Principles.
- 2) Applicant is a business owner/operator in Byrnes Street in the Mareeba CBD in an approved priority location for increased CCTV coverage for improved public safety. Priority locations for enhanced private CCTV coverage funded under this program will be identified and approved by the Mareeba Shire Council in consultation with the Mareeba Police Service and local businesses.
- 3) Applicant has installed or is willing to install a CCTV system and is willing to add an extra camera/s to enhance the coverage in identified public areas. The additional camera/s must be directed at improving CCTV coverage of public areas in Council approved priority sites and the CCTV system must be capable of producing clearly identifiable images.
- 4) Applicant agrees to report relevant incidents and provide relevant footage to the Queensland Police Service for the purposes of enhancing public safety and ensure that CCTV footage is not disclosed to any third party other than the Queensland Police Service.
- 5) Applicant agrees to maintain the enhanced CCTV system and relevant data.

Expression of Interest Form

A one-off financial donation of up to \$500 will be provided to approved businesses in identified strategic locations in Byrnes Street in the Mareeba CBD to augment existing private CCTV systems or support the installation of new on-premise private CCTV systems for the purposes of enhancing public safety.

Expressions of Interest by business owners/operators in Byrnes Street in the Mareeba CBD will be assessed using eligibility criteria listed in this form.

Applicant Name:			
Business Name:			
Business Property Address:			
Phone:			
Mobile:		Email:	

Eligibility Checklist

Compliance with Australian Privacy Principles

Businesses that are required to comply with the Australian Privacy Principles are not eligible for assistance under this program. Please complete the attached Office of the Australian Information Commissioner Checklist to determine if your business is required to comply with the Australian Privacy Principles.

Q1	I have completed the Office of the Australian Information Commissioner Checklist, and my business is required to comply with the Australian Privacy Principles.	Yes <input type="checkbox"/>	<i>If 'yes', unfortunately your business is not eligible for assistance under this program</i>
		No <input type="checkbox"/>	<i>If 'no', please complete the remaining eligibility questions</i>

Operation of a private CCTV System to enhance public safety

Q2	I have a private CCTV system installed at my business address capable of producing clearly identifiable images, or I intend to install a private CCTV system capable of producing clearly identifiable images.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Q3	I am willing to add an extra compatible camera/s and direct these to improve the CCTV coverage of the identified public spaces.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Q4	I am willing to report relevant public incidents and provide relevant CCTV footage to the Queensland Police Service for the purposes of enhancing public safety and to ensure that CCTV footage is not disclosed to any third party other than Queensland Police Service.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Q5	I agree to maintain the enhanced CCTV system and relevant data.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Business Status

Q6	I am the business owner operating the business from the premises	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Q7	I am the owner of the business premises	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Q8	I am the tenant named on the lease and I have permission from the owner of the business premises to install CCTV equipment.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Public CCTV

Q9. Please describe the reasons you need CCTV surveillance of public areas near your business premises:

Privacy Collection Notice

Mareeba Shire Council is collecting your personal information for the purpose of assessing eligibility for assistance under Council's CCTV Public Safety Program. Your personal information is handled in accordance with the *Information Privacy Act 2009* and will not be provided to any other third party unless you have provided your permission or Council is required by law to do so.

Disclaimer

Mareeba Shire Council expressly disclaims any liability for further responsibility/involvement beyond the provision of a one-off financial donation to applicants assessed and declared as successful under the eligibility conditions of the CCTV Public Safety Program. Mareeba Shire Council further disclaims any liability for any damages or claims resulting from the installation of CCTV equipment installed using funds provided under the CCTV Public Safety Program or from the collection, storage and handling including sharing with third parties of CCTV footage captured on such equipment.

Applicant Signature: _____ **Date:** _____



Byrnes Street Mareeba CBD
CCTV Public Safety Program

Lodgement of Expression of Interest Form

Please return the completed form to Mareeba Shire Council by:

Email: info@msc.qld.gov.au

Post: Mareeba CBD CCTV Expression of Interest
Mareeba Shire Council
PO Box 154
Mareeba QLD 4880

Hand deliver to: Mareeba Shire Council
65 Rankin Street
Mareeba QLD 4880

Further Information

For further enquiries please contact:

Glenys Pilat, Manager Community Wellbeing, Mareeba Shire Council

T: 4086 4605

M: 0437 734 080

E: info@msc.qld.gov.au



Does my small business need to comply with the Privacy Act?

July 2015

The information in this resource outlines how the *Privacy Act 1988* (Privacy Act) applies to small businesses. It also includes a Checklist that will help you determine whether your small business is required to comply with the Australian Privacy Principles (APPs) in the Privacy Act.

The Privacy Act

The [Australian Privacy Principles](#) (APPs) in the [Privacy Act](#) outline how most Australian and Norfolk Island Government agencies, all private sector and not-for-profit organisations with an annual turnover of more than \$3 million, all private health service providers and some small businesses (collectively called 'APP entities') must handle, use and manage personal information. APP entities can include an individual (including a sole trader), body corporate, partnership, unincorporated association and trust.

[Personal information](#) is information or an opinion that identifies or could reasonably identify an individual. Some examples are name, address, telephone number, date of birth, medical records, bank account details, and opinions.

In addition to the APPs, the Privacy Act also covers more specific matters that entities, including some small businesses, may be required to comply with.

[Part IIIA of the Privacy Act](#) regulates the handling of individuals' consumer credit information, including credit reports. Small businesses participating in the credit reporting system¹ are required to comply with Part IIIA. More information about complying with Part IIIA can be found at the Office of the Australian Information Commissioner's (OAIC) [Credit reporting](#) page.

The [Privacy \(Tax File Number\) Rule 2015](#) regulates the handling of individuals' tax file number information. Small businesses that are tax file number recipients² are required to comply with the *Privacy (Tax File Number) Rule 2015*. More information about complying with the *Privacy (Tax File Number) Rule 2015* can be found at the OAIC's resource [The Privacy \(Tax File Number\) Rule 2015 and the protection of tax file number information](#).

The APPs and small businesses

Under the Privacy Act, a small business is one that does not have an annual turnover greater than \$3 million. Whilst many small businesses do not need to comply with the APPs, some small businesses that handle personal information do.

¹ A small business may be participating in the credit reporting system if it discloses personal information to, or collects information from, a credit reporting body. A credit reporting participant includes a credit reporting body, a credit provider and other third party recipients of that information. Credit related personal information is information about an individual's consumer credit activities.

² A small business is a tax file number recipient if it is in possession or control of a record that contains tax file number information of an individual.

The Checklist

The Checklist in Appendix A of this resource will help you decide if your small business needs to comply with the APPs. If you're still not sure if your small business needs to comply, you may need to get more advice from your lawyer or other advisers.

What resources will help my small business comply with the APPs?

If your small business is required to comply with the APPs, you will need to consult other resources to help you comply with your obligations and avoid breaching the Privacy Act. The OAIC has a number of resources to help you with this.

For more information about:

- The APPs, see the OAIC's [Australian Privacy Principles page](#). This includes the [APP quick reference tool](#), which provides a short summary of the APPs. Also see the [OAIC's training session](#) on the APPs, which provides an overview of the Privacy Act and the Commissioner's regulatory powers.
- Meeting your ongoing compliance obligations under the APPs, see the OAIC's [Privacy Management Framework](#).
- Tips for staff on complying with the APPs: see the OAIC's [10 tips to protect your customers' personal information](#).

It is important to remember that complying with the Privacy Act does not prevent you handling personal information for your business needs.

What could happen if my small business breaches the APPs?

Individuals have the right to complain if they consider that a business that is covered by the Privacy Act has not complied with the Act in handling their personal information. If your small business is covered by the Privacy Act, the OAIC can investigate, conciliate and, if necessary, make determinations about complaints made about your handling of personal information.

The Commissioner can also investigate a matter on his or her own initiative through a Commissioner initiated investigation.

For more information about the about the Commissioner's range of powers, and the OAIC's regulatory strategy, approach and priorities, see the OAIC's [Privacy regulatory action policy](#).

For information about how to handle a privacy complaint, see the OAIC's [Handling privacy complaints](#) resource.

The information provided in this resource is of a general nature. It is not a substitute for legal advice. Small businesses will need to consider how the Privacy Act applies to their particular situation.

For further information

telephone: 1300 363 992

email: enquiries@oaic.gov.au

write: GPO Box 5218, Sydney NSW 2001

Or visit our website at www.oaic.gov.au

Appendix A: Checklist — Does my small business need to comply with the Australian Privacy Principles?

<p>Question 1</p>	<p>Does your small business handle personal information?</p>	<p>YES: Please go to Question 2</p> <p>NO: You do not need to comply with the APPs.</p>
<p>Question 2</p>	<p>Has your small business had an annual turnover of more than \$3,000,000 in any financial year since 2002?</p> <p><i>Annual turnover for the purposes of the Privacy Act includes all income from all sources. Annual turnover does not include assets held, capital gains or proceeds of capital sales.</i></p> <p><i>If your small business has not operated for a whole financial year, you need to make a projection of full year annual turnover based on the income of your business during that period.</i></p>	<p>YES: You need to comply with the APPs. The information and resources at the beginning of this Checklist will help you understand how to comply.</p> <p>NO: Please go to Question 3</p>
<p>Question 3</p>	<p>Does your small business trade in personal information?</p> <p><i>A business is considered to trade in personal information if it:</i></p> <ul style="list-style-type: none"> <i>a) provides a benefit, service or advantage to collect personal information; or</i> <i>b), discloses personal information for a benefit, service or advantage.</i> <p><i>A benefit, service or advantage can be any kind of financial payment, concession, subsidy or some other advantage or service. For example, where a small business sells its customer list to a marketing company or gives its own list in return for another list.</i></p>	<p>YES: Go to Question 4</p> <p>NO: Go to Question 5</p>

<p>Question 4</p>	<p>Does your small business only trade in personal information without the consent of the individual and without being required or authorised by law?</p> <p><i>Consent can either be express or implied.</i></p>	<p>YES: You need to comply with the APPs. The information and resources at the beginning of this resource will help you understand how to comply.</p> <p>NO: Go to Question 5</p>
<p>Question 5</p>	<p>Is your small business a health service provider?</p> <p><i>Health service providers provide services in relation to physical, emotional, psychological and mental health. They include traditional health service providers, such as private hospitals, day surgeries, medical practitioners, pharmacists and allied health professionals; complementary therapists, child care centres, private schools and private tertiary educational institutions.</i></p>	<p>YES: You need to comply with the APPs. The information and resources at the beginning of this resource will help you understand how to comply.</p> <p>NO: Go to Question 6</p>
<p>Question 6</p>	<p>Is your small business related to a larger body corporate that is subject to the Privacy Act?</p> <p><i>To answer this question, use the test for related body corporate in the Corporations Act 2001. Companies might be related where they are a holding company or a subsidiary of another body corporate.</i></p>	<p>YES: You need to comply with the APPs. The information and resources at the beginning of this resource will help you understand how to comply.</p> <p>NO: Go to Question 7</p>

<p>Question 7</p>	<p>Is your small business a Commonwealth contracted service provider?</p> <p><i>Your business is a Commonwealth contracted service provider if you provide services to, or on behalf of, Australian or Norfolk Island government agencies under a Commonwealth contract or subcontract.</i></p> <p><i>The provisions do not apply to businesses that receive funding from Commonwealth agencies for services that are not a function of the agency.</i></p>	<p>YES: You need to comply with the APPs. Check your contract for more information about your privacy obligations. The information and resources at the beginning of this resource will help you understand how to comply.</p> <p>NO: Go to Question 8</p>
<p>Question 8</p>	<p>Are you a reporting entity or authorised agent of a reporting entity under the <i>Anti-Money Laundering and Counter-Terrorism Financing Act 2006</i> (AML/CTF Act) or its Regulations or Rules?</p> <p>More information about the AML/CTF Act is available from the AUSTRAC website.</p>	<p>YES: You need to comply with the APPs for your activities in relation to the AML/CTF Act and its Regulations and Rules. The information and resources at the beginning of this resource will help you understand how to comply.</p> <p>NO: Go to Question 9</p>
<p>Question 9</p>	<p>Does your small business operate a residential tenancy database?</p> <p><i>A residential tenancy database is a database that stores personal information about individuals occupying residential premises as tenants and is accessible by a person other than the operator of the database or a person acting for the operator.</i></p>	<p>YES: You need to comply with the APPs. The information and resources at the beginning of this resource will help you understand how to comply.</p> <p>NO: Go to Question 10</p>
<p>Question 10</p>	<p>Does your small business carry on a credit reporting business?</p> <p><i>A credit reporting business is defined in section 6P of the Privacy Act.</i></p>	<p>YES: You need to comply with Part IIIA of the Privacy Act and the APPs where Part IIIA does not apply. The information and resources at the beginning of this resource will help you understand how to comply.</p> <p>NO: Go to Question 11</p>

<p>Question 11</p>	<p>Is your small business an employee association registered or recognised under the <i>Fair Work (Registered Organisations) Act 2009</i>?</p>	<p>YES: You need to comply with the APPs. The information and resources at the beginning of this resource will help you understand how to comply.</p> <p>NO: Go to Question 12</p>
<p>Question 12</p>	<p>Is your small business a protected action ballot agent for a protected action ballot conducted under Part 3-3 of the <i>Fair Work Act 2009</i>?</p>	<p>YES: You need to comply with the APPs. The information and resources at the beginning of this resource will help you understand how to comply.</p> <p>NO: Go to Question 13</p>
<p>Question 13</p>	<p>Is your small business a service provider that is required to comply with the data retention provisions in Part 5-1A of the <i>Telecommunications (Interception and Access) Act 1979</i>?</p> <p>Part 5-1A requires service providers to collect and retain certain information about communications.</p>	<p>YES: You need to comply with the APPs for your activities in relation to data collected and retained under Part 5-1A. The information and resources at the beginning of this resource will help you understand how to comply.</p> <p>NO: Go to Question 14</p>
<p>Question 14</p>	<p>Has your small business voluntarily opted into the Privacy Act?</p> <p><i>The Privacy Act provides a mechanism to allow an organisation that is a small business operator to opt in to the Act.</i></p>	<p>YES: You need to comply with the APPs. The information and resources at the beginning of this resource will help you understand how to comply.</p> <p>NO: You don't need to comply with the Privacy Act. As a matter of best practice though, we recommend you protect any personal information you hold.</p> <p>We also recommend you consider opting in to the Privacy Act. A small business that opts in to the Privacy Act could experience a number of benefits, including increased consumer confidence and trust in its operations.</p>