December 2024 – Written update for discussion at monthly staff meeting | 4 December 2024

For discussion, feedback and questions during our in-person staff meeting, please find written updates for the following.

Staff Meeting Minutes

- The August 2024 Staff Meeting Minute was uploaded to the website on 6 October. The IC's written update for September (in lieu of a staff meeting) will be uploaded soon. The October 2024 Staff Meeting Minute has been drafted. A staff meeting was not held in November.

Review Team

- November review statistics were emailed to staff on 2 December and are currently reflected on the website's dashboard.
- The IC's priority for December is on meeting the team's year-end targets.

Finance/Administration

- Audit: The ICO's FY23 Audit file has been submitted to the OAG. The FY24 Audit file is under review by the IC and will be submitted to OAG by this Friday.
- Budget: We have undergone further employee/hiring updates that have impacted this year's budget. Management is reviewing the current budget with our Comptroller in light of this. We are assessing spending needs for the rest of this fiscal year.
- Office space: As we updated in September, s.29(1) applied [redacted] We cannot move forward until Estates makes a recommendation to the Minister and he makes a decision. In the meantime, our lease will convert to a month-to-month lease as of 1 February 2025. s.29(1) applied [redacted]

  We are also mindful of the challenges of the current office space s.30(1)(b) applied [redacted] and will strive to reduce these issues as much as possible while we are waiting for a decision from the Minister.
- Office space: s.29(1) and s.30(1)(b) applied [redacted]

Human Resources

- Recruitment: As the IC shared earlier, the recruitment for the Investigation Officer post is ongoing. Due to the transition with the IC, we anticipate readvertising following the announcement of the next Information Commissioner.

- New Relief Administrative Assistant: We anticipate finalising arrangements for a Relief Administrative Assistant to join as soon as possible. The individual will provide temporary administrative support for E-1, reception, Annual Return input, telephones and other duties as needed. Particularly with the anticipated increase in activity for PrivCom, it will help to have administrative assistance in fielding calls and redirecting people to PrivCom.

Compliance

- The November IC briefing addressed processing PATI requests following the implementation of PIPA for Information Officers and others in public authorities. The feedback was positive. The July and November IC briefing presentations have been circulated and posted on the website.
- The ICO will publish a new guidance on section 12A for public authorities, which reflects the same content presented at the November IC briefing, as well as a new guidance on section 23, by the end of month.
- The ICO Annual Return is in the process of being circulated to public authorities now.

Outreach/Education

- Public awareness statistics were circulated on 2 December 2024.
- The ICO will prepare a fact sheet for the public to understand the amendments to PATI.

IC Updates

- Several amendments to the PATI Act and Regulations have either been passed or are being considered by Parliament, with various commencement dates:
    - PIPA Amendment Act 2024 (PIPA-PATI harmonising legislation) was passed in 2024 and will commence on 1 January 2025.
        - For information on what this means for new PATI requests, see the materials from the November 2024 IC Briefing and the ICO Guidance on Section 12A.
        - The Minister will promulgate transition regulations for pending PATI requests as of 31 December 2024 involving personal information in records held by public authorities (and the exemption for personal information in section 23 of the PATI Act). Once the Minister makes the regulations, the ICO will provide guidance to public authorities and ICO officers can direct queries to this guidance.
        - The PPU will also be updating the Practice Code for the harmonising amendments.
    - PATI Amendment Act 2024 is a standalone PATI amendment bill with a number of provisions, including housekeeping and agreed amendment that the ICO worked on as well as the new 'appropriate limits' and charges provisions proposed by the Minister. There are also updates to the Act and Regulations to improve the third-party notice process. This Act has different commencement dates for different parts, so you can think of it as the set of amendments that go into effect on 1 January 2025 and the set of amendments that will have a commencement date set in the future.
        - This passed the House on Friday, 29 November 2024 and will be considered by the Senate today.
        - A few provisions already have a 1 January 2025 commencement date, including that:

        - Provisions related to the vacancy/removal of the Information Commissioner (currently found in the IC employment contract and now moved into the legislation to mirror the provisions for other heads of independent good governance offices)
        - The IC will now be able to delegate duties and functions.
        - The Legal Aid Office is added to the list of authorities in section 4 (where the PATI Act does not apply to records related to their functions).
        - The Privacy Commissioner is designated in the Schedule as the head of the Office of the Privacy Commissioner
    - The other provisions do not have a commencement date set yet. Further amendments or potential consultation may occur to address concerns that have been raised about equity and fairness. The PPU also needs time to prepare training materials and update the Practice Code.
    - Where appropriate, the ICO anticipates providing guidance on the new provisions prior to their commencement.
- Our ICO holiday dinner will be this Friday at 7pm at Ascots. The office will close at 4pm on Friday prior to our dinner.