

25 February 2026

Office of the Australian Information Commissioner
consultation@oaic.gov.au

Dear Office of the Australian Information Commissioner

**Draft My Health Records (Information Commissioner Enforcement Powers) Guidelines
2026 - Consultation**

Public Pathology Australia (PPA) would like to thank you for the opportunity to provide feedback on the draft My Health Records (Information Commissioner Enforcement Powers) Guidelines 2026.

PPA represents the government owned and operated pathology services in all states and territories across Australia.

PPA consulted our members on the draft guidelines, and we provide the following consolidated response:

- PPA members welcome the clearer articulation of the Information Commissioner's enforcement powers, escalation pathways, and alignment with other legislation, which improves transparency for My Health Record health system participants.
- PPA members support the emphasis on a consistent, risk-based regulatory approach and early resolution of issues.
- Our members consider the clarification of referral pathways to other bodies and enforcement to be appropriate, particularly where matters involve systemic risk or serious interference with privacy.
- It would be worth considering whether the guidelines could provide further clarity regarding the interaction of Commonwealth and State privacy laws to avoid duplication in situations where information and/or enforcement may be subject to both state and Commonwealth laws.

Overall, PPA considers the draft Guidelines proportionate clear, and practical, and supports the approach.

Yours sincerely
Public Pathology Australia