



20 February 2026

Ms Elizabeth Tydd  
Australian Information Commissioner  
GPO Box 5288  
Sydney NSW 2001

Dear Commissioner Tydd,

**RE: Draft My Health Records (Information Commissioner Enforcement Powers) Guidelines 2026**

The Royal Australian College of General Practitioners (RACGP) welcomes the opportunity to provide feedback on the draft My Health Records (Information Commissioner Enforcement Powers) Guidelines 2026.

General practitioners (GPs) and general practices are major contributors to the My Health Record and have significant compliance obligations under the *My Health Records Act 2012* and the *Privacy Act 1988* including penalties for unauthorised access, misuse, or data breaches. The RACGP has always supported appropriate frameworks to protect patient and clinician privacy and our role is to ensure these frameworks can be implemented by our members and their general practice teams.

Strengthening the enforcement powers of the Office of the Information Commissioner (OAIC) is appropriate given the growing volume and sensitivity of health information held within My Health Record, including pathology and diagnostic imaging reports, the upcoming National Medicines Record and the potential for further mandated uploading of patient information.

The RACGP has previously highlighted the regulatory and administrative burden placed on general practices regarding My Health Record participation and any new guidelines need to take a supportive, educative, and preventative approach. Most general practices are typically small to medium businesses with limited administrative and legal resources so any enforcement actions need to recognise these limitations and consider clinical workload. General practices will require reasonable flexibility as they adapt to the increased visibility and monitoring associated with the proposed strengthened enforcement framework.

Overall, the RACGP recognises the importance of robust privacy and security protections for My Health Record and we will continue to educate and support our members in understanding and meeting their obligations.

We look forward to the finalisation of the Guidelines and their contribution towards protecting patient data within My Health Record. To arrange a meeting to discuss our feedback or if you require any further information please contact Joanne Hereward, Program Manager, Practice Technology and Management at [joanne.hereward@racgp.org.au](mailto:joanne.hereward@racgp.org.au)

Yours sincerely,

Dr Michael Wright  
RACGP President