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TO: consultation@oaic.gov.au
TO: The Office of the Australian Information Commissioner (OAIC)

PCEHR (Information Commissioner Enforcement Powers) Guidelines 2015

First of all, a lot of thanks to the Office of the Australian Information Commissioner (OAIC) for organising consultation for assessing the draft of PCEHR (Information Commissioner Enforcement Powers) Guidelines 2015.

This opinion represents an opinion of an individual citizen, not any legal entity.

- This opinion does not contain:
- any business secrets
 - any trade secrets
 - any confidential information.

This opinion is public.
The PDF file of this opinion can be added to a relevant web page.

Annex 1 holds information about previous relevant consultations.
Annex 2 holds information about disclaimers and copyright.

Best Regards,

Jukka S. Rannila
citizen of Finland
signed electronically

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40 General remarks: Mainly about information systems

41

42 This opinion is mainly about information systems related to the Personally Controlled Electronic
43 Health Records (PCEHR).

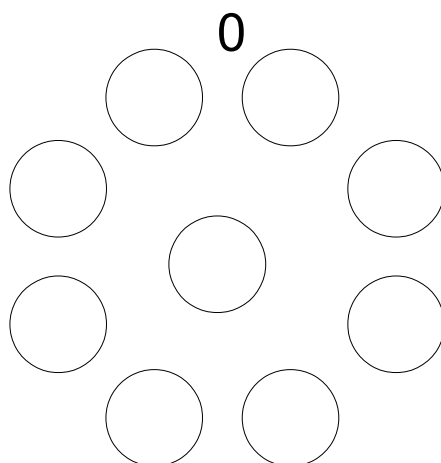
44

**45 General remarks: Also in Finland the ¹ system for Personally Controlled Electronic Health
46 Records (PCEHR) is decentralised**

47

48 Here we can note that there can be a lot of separate information systems in some contexts. The
49 initial situation may mean totally independent systems without any connections.

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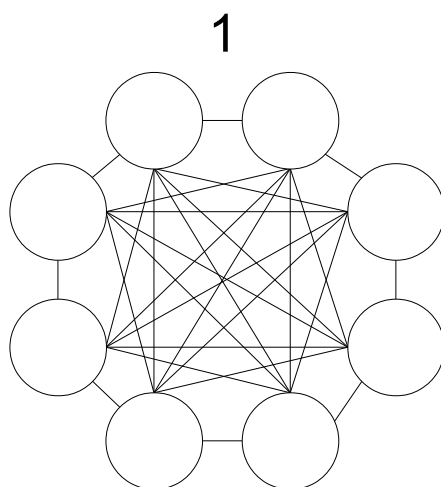


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53 IF information systems in some contexts are developed without clear guidelines there can be very
54 complex connections between different systems.

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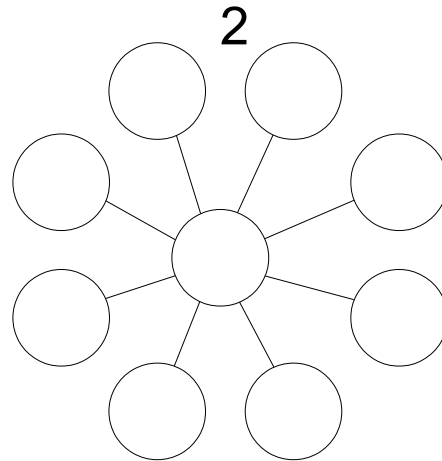
56

1 <http://www.kanta.fi/en/>, Patient Data Repository

57

58 The opposite situation is naturally one centralised system with connections to several different
59 systems.

60



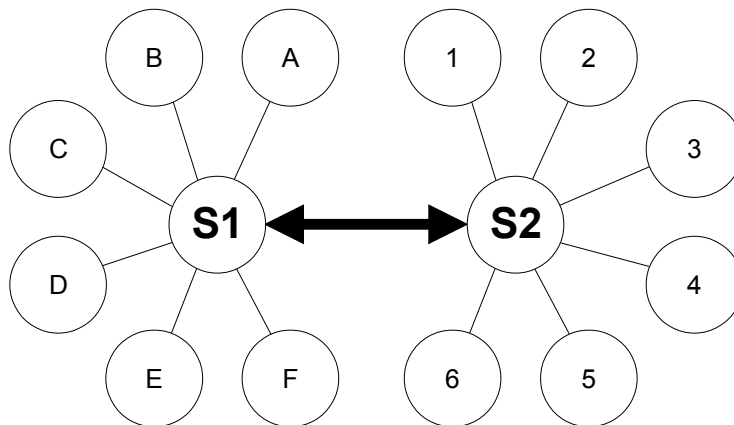
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63 The problem with this option is possible outages which mean problems with other systems.

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1-2



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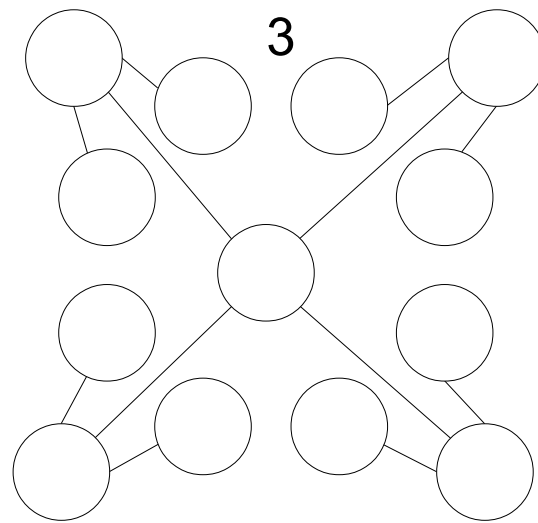
66

67 Next option may cooperation between some centralised (S1 ↔ S2) systems. Also this option may
68 have problems in actual usage.

69

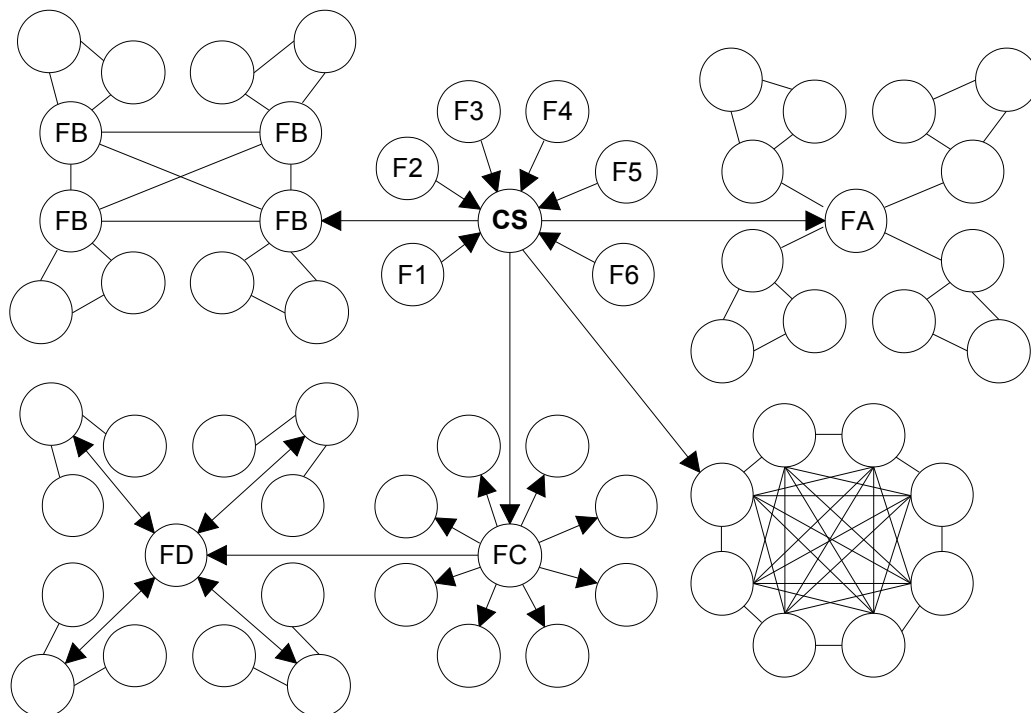
70 Based on the problems with centralised system there is yet another solution: systems organised
71 based on different hierarchical solutions.

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Then we have to note that there can complex networks for different systems.



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Here we can note that the central system (CS) is in this context Personally Controlled Electronic Health Records (PCEHR) system. Then there can be cooperation with different systems. Then there can be different standards (format) for transmitting data between different systems.

What this has to do with PCEHR (Information Commissioner Enforcement Powers) Guidelines 2015 (draft)?

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85

86 Some general issues can be noted:

87

88 (i) There can be complex networks of information systems.

89 (ii) Personally Controlled Electronic Health Records (PCEHR) system can be a central
90 system for cooperation between different (sub)systems.

91 (iii) Decentralised nature for cooperation between systems can mean several connections.

92 (iv) All (private) information should be handled carefully in all (sub)systems.

93

94 **Some solutions based on previously mentioned problems?**

95

96 Here we can note that we are dealing with legislative text (PCEHR (Information Commissioner
97 Enforcement Powers) Guidelines 2015 (draft))

98

99 Based on results of previous consultation we can note that complex legislative text can be presented
100 with very readable forms and/or system interfaces.

101

102 **Proposal: The final legal text (PCEHR (Information Commissioner Enforcement
103 Powers) Guidelines 2015) could be presented with more readable forms and/or system
104 interfaces.**

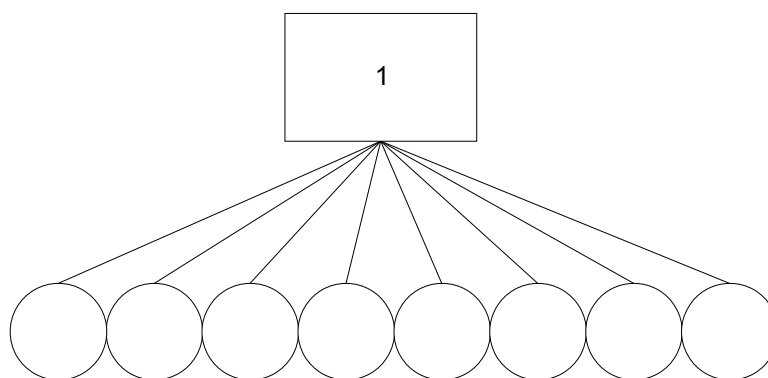
105

106 Too often we give complicated legal texts (legalese) for general usage – the same issues can be
107 presented as more readable texts.

108

109 **Several readable forms and/or system interfaces**

110



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113 Here we can note one system can have several interfaces – we can also note that different paper-
114 based additions to a system should be very easy.

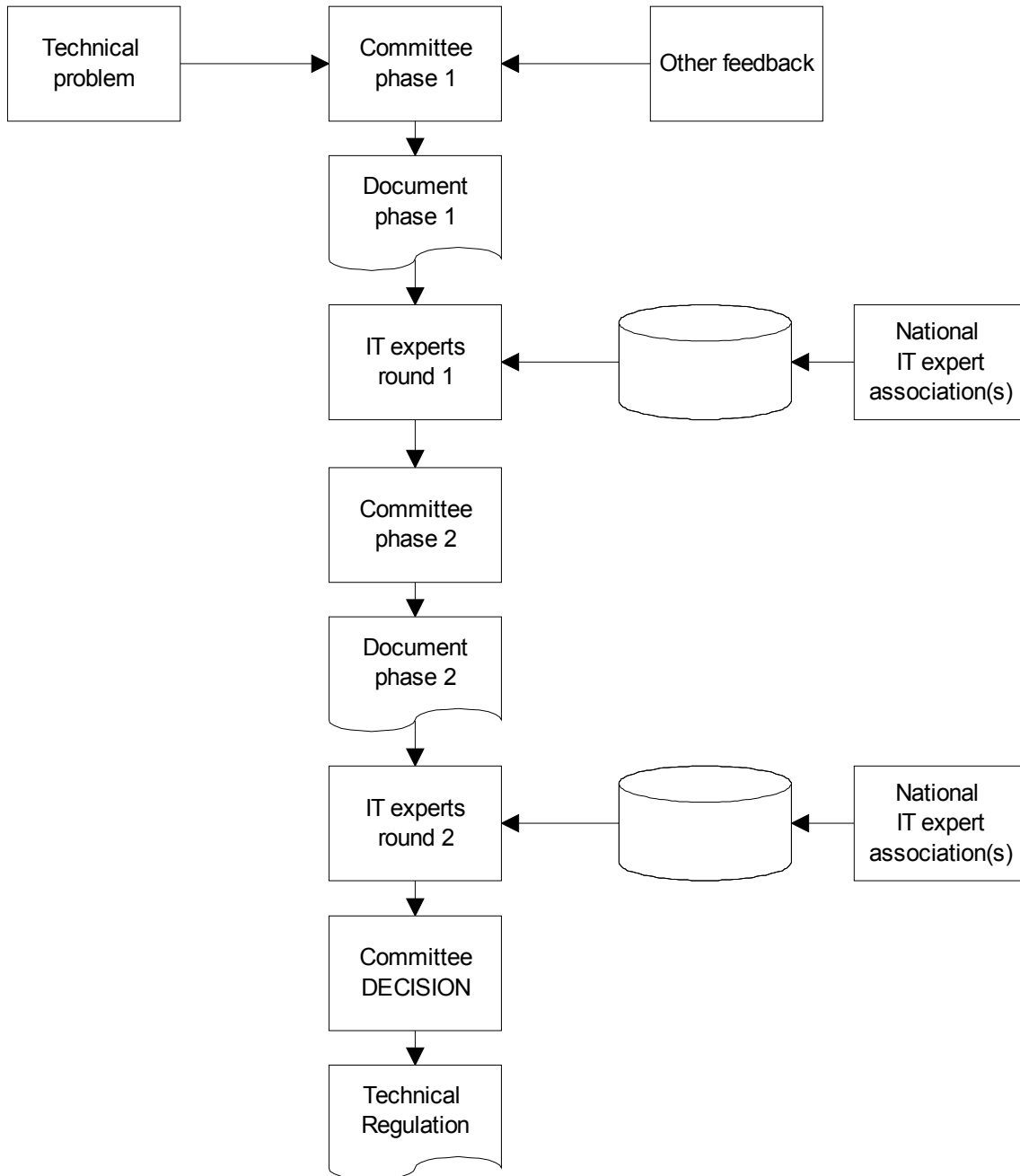
115

116 **Proposal: There could be a consultation about the simple interfaces and simple (legal)
117 forms.**

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119 **Need for more technical consultations?**

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I have proposed in some cases more technically oriented consultations. Also I have proposed different questionnaires for members on different national IT expert associations.

Proposal: There could be more more technically oriented consultations based on the results of this consultation.

129 In European Union context ACER (The Agency for the Cooperation of Energy Regulators) has
 130 organised several technically oriented consultations for assessing different issues in different ACER
 131 systems – check Annex 1.

132

133 **Proposal: Information of different technically oriented consultations could be sent to**
 134 **different IT expert associations.**

135

136 Naturally there should be only a limited number of technical consultations for different IT expert
 137 associations.

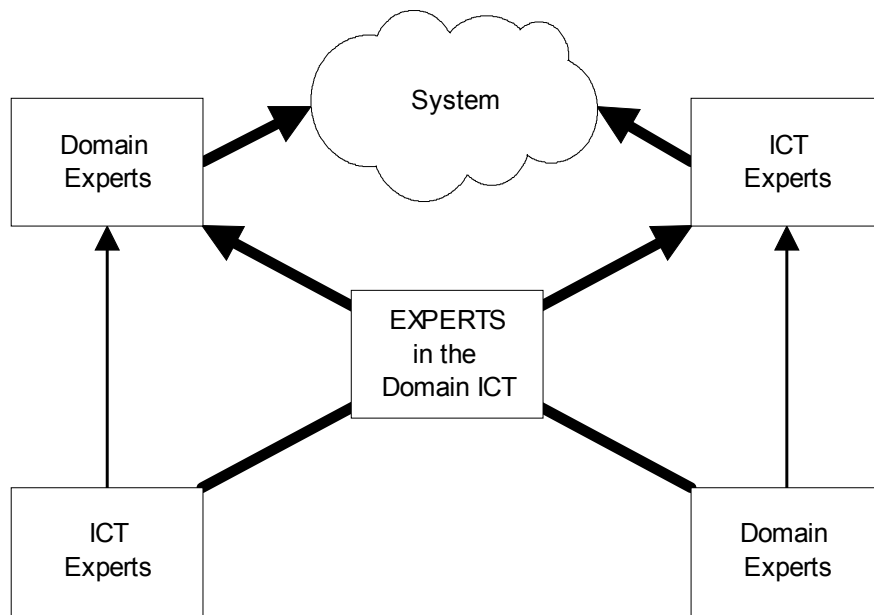
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139 **Final remarks**

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141 Naturally we have to note the importance of privacy in PCEHR system(s) and with different
 142 cooperative systems.

143



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146 Based on previous opinions (check Annex 1) I have presented the previous figure. Generally
 147 speaking different ICT experts try to understand a specific domain. Generally speaking different
 148 domain experts try to understand ICT. There can be several several mismatches between ICT
 149 experts and domain experts.

150

151 Based on the previous proposals of PCEHR (Information Commissioner Enforcement Powers)
 152 Guidelines 2015 could be presented to ICT experts and domain experts. There could be more
 153 understanding between different experts when different issues are carefully and presented with
 154 more clarity.

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ANNEX 1

I have constructed different opinions about different issues, and on the following web page are all written (PDF files) opinions:

<http://www.jukkarannila.fi/lausunnot.html>

I have constructed specifically opinions related to information systems – both in English and in Finnish.

Here is the list of opinions related to information systems.

EN: Opinion 8: European Interoperability Framework, version 2, draft

http://www.jukkarannila.fi/lausunnot.html#nro_8

EN: Opinion 9: CAMSS: Common Assessment Method for Standards and Specifications, CAMSS proposal for comments

http://www.jukkarannila.fi/lausunnot.html#nro_9

EN:Opinion 13: Final Committee Draft ISO/IEC FCD3 19763-2

http://www.jukkarannila.fi/lausunnot.html#nro_13

EN: Opinion 14: SFS discussion paper / SFS:n keskusteluasiakirja

http://www.jukkarannila.fi/lausunnot.html#nro_14

EN: Opinion 17: Opinion to Antitrust Case No. COMP/C-3/39.530

http://www.jukkarannila.fi/lausunnot.html#nro_17

EN: Opinion 18: Opinion Related to the Public Undertaking by Microsoft

http://www.jukkarannila.fi/lausunnot.html#nro_18

EN: Opinion 19: Official Acknowledgement by the Commission

http://www.jukkarannila.fi/lausunnot.html#nro_19

EN: Opinion 20: SECOND Opinion Related to the Public Undertaking by Microsoft

http://www.jukkarannila.fi/lausunnot.html#nro_20

EN: Opinion 21: Opinion about the European Interoperability Strategy proposal

http://www.jukkarannila.fi/lausunnot.html#nro_21

- 200 EN: Opinion 23: Public consultation on the review of the European Standardisation System
201 http://www.jukkarannila.fi/lausunnot.html#nro_23
202
- 203 EN: Opinion 24: ISO/IEC JTC 1 / SC 34 / WGs 1, 4 and 5 in Helsinki 14-17 June 2010
204 http://www.jukkarannila.fi/lausunnot.html#nro_24
205
- 206 FI: Lausunto 29: Avoimen demokratian avoimen datan avaamisen detaljit (ADADAD)
207 http://www.jukkarannila.fi/lausunnot.html#nro_29
208
- 209 EN: Opinion 30: Internet Filtering
210 http://www.jukkarannila.fi/lausunnot.html#nro_30
211
- 212 FI: Lausunto 31: Terveystieteiden tietotekniikasta
213 http://www.jukkarannila.fi/lausunnot.html#nro_31
214
- 215 EN: Opinion 32: COMP/C-3/39.692/IBM - Maintenance services
216 http://www.jukkarannila.fi/lausunnot.html#nro_32
217
- 218 FI: Lausunto 33: Julkishallinnon tietoluovutusten periaatteet ja käytännöt
219 http://www.jukkarannila.fi/lausunnot.html#nro_33
220
- 221 EN: Opinion 34: REMIT Registration Format
222 http://www.jukkarannila.fi/lausunnot.html#nro_34
223
- 224 EN: Opinion 37: CASE COMP/39.654 - Reuters instrument codes
225 http://www.jukkarannila.fi/lausunnot.html#nro_37
226
- 227 FI: Lausunto 38: SADe-ohjelman avoimen lähdekoodin toimintamallin luonnos
228 http://www.jukkarannila.fi/lausunnot.html#nro_38
229
- 230 EN: Opinion 39: Registry options to facilitate linking of emissions trading systems
231 http://www.jukkarannila.fi/lausunnot.html#nro_39
232
- 233 EN: Opinion 41: AT.39398: observations on the proposed commitments
234 http://www.jukkarannila.fi/lausunnot.html#nro_41
235
- 236 EN: Opinion 43: Publication of extracts of the European register of market participants
237 http://www.jukkarannila.fi/lausunnot.html#nro_43
238
- 239 EN: Opinion 45: About ICT standardisation
240 http://www.jukkarannila.fi/lausunnot.html#nro_45
241
- 242 EN: Opinion 46: Review of the EU copyright rules
243 http://www.jukkarannila.fi/lausunnot.html#nro_46
244

- 245 EN: Opinion 47: Sharing or collaborating with government documents
246 http://www.jukkarannila.fi/lausunnot.html#nro_47
247
- 248 FI: Lausunto 49: JSH 166 -suosituksen päivitys
249 http://www.jukkarannila.fi/lausunnot.html#nro_49
250
- 251 EN: Opinion 52: Trusted Cloud Europe Survey
252 http://www.jukkarannila.fi/lausunnot.html#nro_52
253
- 254 EN: Opinion 53: Trade Reporting User Manual (TRUM) (Draft)
255 http://www.jukkarannila.fi/lausunnot.html#nro_53
256
- 257 EN: Opinion 54: Government Content Management System
258 http://www.jukkarannila.fi/lausunnot.html#nro_54
259
- 260 EN: Opinion 55: European Energy Regulation
261 http://www.jukkarannila.fi/lausunnot.html#nro_55
262
- 263 EN: Opinion 56: National Identity Proofing Guidelines
264 http://www.jukkarannila.fi/lausunnot.html#nro_56
265
- 266 FI: Lausunto 58: Puoluekokousaloitteet / 2010 ja 2014
267 http://www.jukkarannila.fi/lausunnot.html#nro_58
268
- 269 EN: Opinion 59: Green paper on mobile Health
270 http://www.jukkarannila.fi/lausunnot.html#nro_59
271
- 272 EN: Opinion 60: Cross-border inheritance tax problems within the EU
273 http://www.jukkarannila.fi/lausunnot.html#nro_60
274
- 275 EN: Opinion 61: European Register of Products Containing Nanomaterials
276 http://www.jukkarannila.fi/lausunnot.html#nro_61
277
- 278 FI: Lausunto 65: Lausuntopyyntö nettiäänestystyöryhmän väliraportista
279 http://www.jukkarannila.fi/lausunnot.html#nro_65
280
- 281 EN: Opinion 66: Net Innovation for the Work Programme 2016-2017
282 http://www.jukkarannila.fi/lausunnot.html#nro_66
283
- 284 FI: Lausunto 67: Valtioneuvoston hanketiedon esiselvityksestä
285 http://www.jukkarannila.fi/lausunnot.html#nro_67
286
- 287 EN: Opinion 68: European Network Code Stakeholder Committees
288 http://www.jukkarannila.fi/lausunnot.html#nro_68
289

- 290 FI: Lausunto 69: Hallituksen esitys (luonnos 16.4.2015) vieraslajeista
291 http://www.jukkarannila.fi/lausunnot.html#nro_69
292
293 EN: Opinion 70: Providing better APIs in New Zealand
294 http://www.jukkarannila.fi/lausunnot.html#nro_70
295
296 EN: Opinion 71: Common Schema for the Disclosure of Inside Information
297 http://www.jukkarannila.fi/lausunnot.html#nro_71
298
299 EN: Opinion 72: Queensland biofuel mandate
300 http://www.jukkarannila.fi/lausunnot.html#nro_72
301
302 EN: Opinion 73: Financial / Conceptual Frameworks
303 http://www.jukkarannila.fi/lausunnot.html#nro_73
304
305 EN: Opinion 74: Enabling the Internet of Things
306 http://www.jukkarannila.fi/lausunnot.html#nro_74
307
308 EN: Opinion 78: Consumer Complaints Register (NSW)
309 http://www.jukkarannila.fi/lausunnot.html#nro_78
310
311
312
313

314 I have constructed different opinions about different issues, and on the following web page
315 are all written (PDF files) opinions:

316 <http://www.jukkarannila.fi/lausunnot.html>
317

318
319 [Continues on the next page]
320

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ANNEX 2

323 DISCLAIMERS

324

325 Legal disclaimer:

326 All opinions in this opinion paper are personal opinions and they do not represent opinions of any legal entity I am
327 member either by law or voluntarily. This opinion paper is only intended to trigger thinking and it is not legal advice.

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331

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362 The English explanation is on the following web page:

363 <http://creativecommons.org/licenses/by-nc-nd/4.0/legalcode>

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2 Based on the Finnish three-party system there is a phenomenon called extreme-centre in Finland. The 2011 parliamentary elections in Finland challenged the three-party system, since three “old” parties were not traditionally as the three largest parties. On 2015 this “new” party is part of the current Finnish Government. We all must be interested about this new development in Finland.