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The laws guiding personal identifiable information differ from country to country; the only common factor about the laws is that they strictly guard the personal data security of the citizens in those respective countries. Australia is one of the countries with strict laws guiding the cross-border transfer of personal information of its citizens to the overseas recipient. The law requires strict guidelines to be followed when such transaction is done. For that reason, as a cloud forensic investigator, I need to understand Australia's privacy principles that govern the acquisition of such important personal information when outside the country's territory. I do not break the country's laws and not infringe the individual's privacy rights under investigation. Consent is ethical legality that makes the parties involved in collecting and sharing personal information follow the law while doing such business. Hence, if any party contravenes the Australian Privacy Laws, they face the law as indicated in the Act guiding the same (Eckstein et al., 2018). This paper describes the Australian privacy laws on cross-border personal information disclosure, focusing on the requirement for consent and the law's exceptions.

The Australian privacy principle on cross-border use and disclosure of personal information describes a person outside the territory of Australia who is in the business of personal information acquired from a person within the country's territory as an overseas recipient. During my investigation of the PII cloud store in Australia, I am obligated to realize that I am subjected to the law as an overseas recipient. Any misuse of the data acquired is criminal and will be charged for infringing the person's privacy rights to an entity under my investigation. The recipient is subject to the law, and when a citizen consents to the disclosure and use of personal information, the law will not apply to the recipient (OAIC, 2014). The law protects personal information before it is shared with the overseas recipient, who is required to

protect the privacy of the information shared with them. According to the Office of the Australian Information Center (2014), concerning the Australian Privacy Principles, requires that the entity must take all the necessary and reasonable steps. To ensure that the oversee recipient does not mess up with their personal information as well as does not breach the Australian laws on the personal information cross-border principles. This makes the entity to be in the first line of their information protection.

On the other hand, the APP makes exceptions from these requirements if the recipient is subject to the law and can protect and not breach the Australian law. Also, after being informed, a recipient of personal information agrees and consents not to violate the privacy of the owner of the information (OAIC, 2014). When the agency receiving the personal information from an Australian entity is a body that performs law enforcement activities, they are exempted from the consent requirement of personal information. Additionally, an Australian court or tribunal in any compelling circumstance can exempt an oversee recipient from going through the consent requirement of personal data acquisition from an Australian entity.

Conclusively, before I embark on my investigation of the assigned case involving the cloud store of PII store in Australia, then I would first do a background check on their rules and regulations guiding personal information to help not breach the country laws. Their laws must require an oversee recipient seek the Australian entity before using and acquiring such data. Therefore, the privacy of such information is the number one priority for the country whenever such transactions occur. The exception that requires me to consent to comply with all the Australian laws concerning cross-border personal information is also a breakthrough whenever an entity refuses to share the information I need. Being that their courts can guarantee this under

special application, I see laws to be flexible and at the same time highly protective when it comes to personal information protection.

References

- Eckstein, L., Chalmers, D., Critchley, C., Jeanneret, R., McWhirter, R., Nielsen, J., ... & Nicol, D. (2018). Australia: regulating genomic data sharing to promote public trust. *Human genetics*, *137*(8), 583-591.
- Office of the Australian Information Center . (OAIC). (2014). Personal Information principles: Cross-border disclosure of personal information.

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