



# Inquiry into the procurement and delivery of MyWay+

## Answer to question taken on notice during the hearing

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Asked by: Peter Cain MLA

Addressed to: Chris Steel MLA, Minister for Transport

In relation to: Whether advice has been taken from the Privacy Information Commissioner or GSO on the need for a data breach notification.

Hearing: 27/3/2025

Uncorrected Proof Transcript: UPT 27/3/2025, p 49.

Transcript provided: 1/4/2025

Answer Due: 8/4/2025

**Chris Steel MLA, Minister for Transport took on notice the following question:**

**THE CHAIR:** I do have a couple of supps. We have seen evidence of access by Mr Reid. That does not appear in any of your reports or logs? Excellent. Can I just check, minister, have you chatted to the Information Commissioner about whether any of the evidence this committee has received might be a notifiable data breach? Have you taken advice on that?

**Mr Steel:** The advice from Transport Canberra is that there is at this stage not a notifiable breach in relation to that, but if you can talk to the notifications that have been provided to the appropriate channels I think is important.

**THE CHAIR:** No, that is okay. I think probably the question, and I am happy for it to be taken on notice, is have you taken advice from the Information Commissioner about this or have you taken advice from the GSO about this?

**MR CAIN:** Yes, take it on notice.

**Mr White:** Again, I believe that Mr Valtas would probably be the best person placed to answer that question in specifically how our policies relate to our relationship with the OIC.

**THE CHAIR:** It is not really a policy question.

**MR CAIN:** We do not want to hear about policies.

**THE CHAIR:** It is whether you have specifically taken advice from the Privacy Information Commissioner or the GSO on this. I am very happy for you to take that on notice, and that is probably the best. Mr Cain?

**Chris Steel MLA, Minister for Transport: The answer to the Member's question is as follows:**

As advised in the hearing, Transport Canberra investigated the claims made by Mr Reid in his Submission to the Inquiry, which were determined to not be a notifiable breach. I refer the Committee to the response provided to QTON 02 of the in-camera hearing.

Therefore, Transport Canberra has not sought advice from the ACT Information Commissioner or the ACT Government Solicitor on the evidence provided to this Committee on vulnerabilities or alleged data breaches.


It is important to note the distinction between a 'Data Breach' and a 'System Vulnerability', as the terms are not interchangeable. The ACT Cyber Security Centre defines a data breach as happening "*when personal information is accessed or disclosed inappropriately, or without authorisation, or is lost*"; whereas, a system vulnerability, can be defined as "*a weakness in a system's security requirements, design, implementation or operation that could be accidentally triggered or intentionally exploited and result in a violation of the system's security policy*"<sup>1</sup>. Further information on what constitutes a notifiable data breach is available on the Office of the Australian Information Commissioner website here: <https://www.oaic.gov.au/privacy/notifiable-data-breaches/when-to-report-a-data-breach>

The government takes seriously its role and responsibilities regarding cyber security. This includes taking action on all appropriately provided observations, as well as reporting any loss of data.

If the Committee has received other information which they believe constitutes a data breach, I would encourage them to report this to DDTS Cyber Security per the [ACT Government Cyber Security Policy](#).

I also refer them to the Submission to the Inquiry by the Director-General, TCCS (available here: [https://www.parliament.act.gov.au/\\_data/assets/pdf\\_file/0008/2826170/Submission-053-David-Pryce,-Director-General-TCCSD.pdf](https://www.parliament.act.gov.au/_data/assets/pdf_file/0008/2826170/Submission-053-David-Pryce,-Director-General-TCCSD.pdf)) which recommends the Inquiry refer all submissions relating to cyber securities to the ACT Cyber Security Centre prior to publication to validate that no new vulnerabilities are disclosed without an opportunity to remediate them to ensure the on-going protection of the system and the information it contains.

Approved for circulation to the Standing Committee on Environment, Planning, Transport and City Services.

Signature: 

Date: 8/4/25

By Chris Steel MLA, Minister for Transport

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<sup>1</sup> Australian Signals Directorate