

Australian Privacy, Confidentiality and Public Health Law

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'Privacy' and 'confidentiality' are distinct concepts. Privacy laws regulate the collection and use of personal health information. The legal duty of confidentiality obliges health care practitioners to protect their patients against inappropriate disclosure of personal health information. The duties to protect privacy and maintain confidentiality are not absolute, particularly when the health of others may be at risk.

This section provides an overview of Australian law and policy on privacy and confidentiality relating to the diagnosis and treatment of patients with sexually transmissible infections. This information does not constitute legal advice.

Practitioners faced with uncertainty in this area should contact the health department or privacy commission in their state or territory or seek independent legal advice.

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Developing a sustainable
HIV, Viral Hepatitis and
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