



Queensland

Information Privacy and Other Legislation (Automated Decision- Making) Youth Act 2024

Youth Act No. 7 of 2024

A Youth Act to amend the Information Privacy Act 2009, the Police Powers and Responsibilities Act 2000 and the Professional Engineers Act 2002 for particular purposes

[Assented to 4 November 2024]



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Information Privacy and Other Legislation (Automated Decision-Making) Youth Act 2024

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The Youth Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

This Youth Act may be cited as the *Information Privacy and Other Legislation (Automated Decision-Making) Youth Act 2024*.

2 Commencement

This Youth Act commences on a day to be fixed by proclamation.

Part 2 Amendment of Information Privacy Act 2009

3 Act amended

This part amends the *Information Privacy Act 2009*.

4 Amendment of long title

Long title, from ‘and to allow’—
omit, insert—

to allow access to and amendment of personal information, and to provide limits and safeguards for the use of automated decision-making technology in the public sector environment

[s 5]

5 Insertion of new ss 25A–25D

After section 25—

insert—

25A When software *makes a decision* about a thing

- (1) Software *makes a decision* about a thing if it autonomously does any of the following—
 - (a) infers information about the thing;
 - (b) categorises, labels or otherwise identifies or sorts the thing;
 - (c) determines whether to do or not do the thing;
 - (d) determines whether or not a thing—
 - (i) is lawful, properly made and valid; or
 - (ii) is correct or incorrect; or
 - (iii) has weight or merit; or
 - (iv) should be accepted or rejected; or
 - (v) should be given or issued, suspended, revoked or refused; or
 - (vi) should be subject to a condition or restriction;
 - (e) otherwise makes a decision about a thing.
- (2) Software that makes a decision about a thing (the *overall decision*) may *make a decision* about other things as part of the process of making the overall decision.

Example—

Software that makes a decision about whether to accept or reject an application for a licence may first decide whether the application was lawful, properly made and valid.

- (3) In this section—
conduct includes a single act or omission or a

series of acts or omissions.

thing includes conduct.

25B What is *automated decision-making software*

Software that makes a decision about a thing is *automated decision-making software*.

25C What is *high-risk automated decision-making software* and what are *high-risk decisions*

- (1) Automated decision-making software is *high-risk automated decision-making software* if the automated decision-making software—
- (a) is intended to be used to make any of the following decisions (each a *high-risk decision*)—
- (i) a decision about a person’s employment status, working hours, remuneration, performance, or other similar thing in relation to the person’s current or perspective employment;

Notes—

- 1 Automated decision-making software that ranks applicants for a job, which is used to determine which applicant will be offered the job.
 - 2 Automated decision-making software that evaluates an employee’s performance and automatically calculates the person’s remuneration.
- (ii) a decision about the safety of drainage, electricity, gas, sewerage, telecommunications or water infrastructure;
- (iii) a decision about—

[s 5]

- (A) the conduct of a school, university or vocational student during an examination; or
- (B) a school, university or vocational student's assessment result;
- (iv) a decision made in real time or near real time about the identity of a person in a public place;
- (v) a decision of a diagnostic or medical character;
- (vi) a decision of a prosecutorial character;
- (vii) a decision of a judicial character;
- (viii) a decision which a medical professional has regard to when making a decision of a diagnostic or medical character;
- (ix) a decision about a loan, credit or another similar thing;
- (x) a decision about how a complex customer or user query should proceed;
- (xi) a decision prescribed by regulation; or
- (b) does not, or was developed in a manner that does not, comply with technical standards approved by regulation.

Examples—

- 1 Automated decision-making software that is developed using training datasets that do not comply with quality and data governance requirements.
- 2 Automated decision-making software that lacks technical documentation that is drafted and updated in accordance with technical standards approved by regulation.

3 Automated decision-making software that lacks clear and intelligible instructions for use.

(2) In this section—

employment includes engagement as a contractor.

remuneration, for a person, includes, if the person is engaged as a contractor, the fee payable to the person under the contract.

6 Insertion of new ch 3A

After chapter 3—

insert—

Chapter 3A Automated decision-making software

Part 1 Use of high-risk decision-making software generally prohibited

133A Use of high-risk decision-making software by agencies generally prohibited

Despite any other law, an agency must not, without the approval of the commissioner—

- (a) use high-risk automated decision-making software; or
- (b) use automated decision-making software to make high-risk decisions.

[s 6]

133AA Application to use high-risk automated decision-making software or use automated decision-making software to make high-risk decisions

- (1) An agency may apply to the commissioner to—
 - (a) use high-risk automated decision-making software; or
 - (b) use automated decision-making software to make high-risk decisions.
- (2) The application must—
 - (a) be in the approved form; and
 - (b) include—
 - (i) an explanation of the automated decision-making software (*chosen software*) proposed to be used, the purposes (*proposed purposes*) for which the chosen software is proposed to be used and the manner in which (*proposed manner*) the chosen software is proposed to be used; and
 - (ii) a justification setting out why using automated decision-making software is proposed and why the chosen software is proposed to be used; and
 - (iii) an explanation of the safeguards and accountability measures proposed to be implemented; and
 - (iv) a proposed timeline for deployment and implementation; and
 - (c) be accompanied by—
 - (i) any technical documentation provided by the developer of the software to the agency; and

- (ii) any other technical documentation required by the commissioner; and
 - (iii) a risk assessment report identifying—
 - (A) the potential risks associated with the use of the chosen software for the proposed purposes in the proposed manner;
 - (B) the potential impacts on persons associated with the use of the chosen software for the proposed purposes in the proposed manner; and
 - (C) any proposed mitigation strategies to mitigate any potential risks and impacts; and
 - (iv) a statement of compatibility explaining how and to what extent the use of the chosen software for the proposed purposes in the proposed manner is compatible with human rights.
- (3) The commissioner must decide the application and notify the agency of the outcome of the application within three months from the date the application was received.
- (4) The commissioner may, in approving an application, impose conditions, including conditions which require the agency to implement additional safeguards, accountability measures or mitigation strategies.
- (5) In this section—
compatible with human rights see *Human Rights Act 2019*, section 8.

[s 6]

133A Agency to comply with commissioner's approval

- (1) This section applies if the commissioner approves an application made under section 133AA.
- (2) The agency may only use of the chosen software for the proposed purposes in the proposed manner.
- (3) The agency must comply with—
 - (a) all safeguards, accountability measures and mitigation strategies stated in the application; and
 - (b) any conditions imposed.
- (4) The agency must, by the last day of April, July, October and January, provide a report to the commissioner outlining the implementation and performance of the chosen software during the previous quarter.

Part 2 Compliance with ADM Principles

133B ADM Principles

- (1) The *ADM Principles* are the following principles—
 - (a) **Respect for human rights generally**—an agency must have regard to human rights, consider the risk to persons' human rights, and act in a manner compatible with human rights;
 - (b) **Respect for the right of privacy**—an agency must comply with this Act and act in a manner compatible with the right to privacy;

Note—

Even if the conduct of an agency complies with this Act, it may not be compatible with the right to privacy.

- (c) **Respect for a free and domestic society based on human dignity, equality, freedom and the rule of law**—an agency must—
 - (i) not undermine or subvert the democratic process, manipulate the behaviour of citizens or implement mass surveillance or social scoring; and
 - (ii) be accountable and transparent;
- (d) **Accuracy and reliability**—an agency must ensure the automated decision-making software will operate and does operate accurately, reliably and as intended;
- (e) **Supervision**—an agency must ensure the development or use of the automated decision-making software is appropriately supervised;
- (f) **Testing**—an agency must conduct testing, risk identification and mitigation activities before using the automated decision-making software;
- (g) **Monitoring**—an agency must conduct regular ongoing monitoring activities;
- (h) **Transparency**—subject to other laws, an agency must publicly disclose—
 - (i) an accurate detailed description of the automated decision-making software, its purpose and its uses; and

[s 6]

- (ii) the data the automated decision-making software is trained on; and
 - (iii) reports and summaries created in the course of undertaking the testing and activities mentioned in paragraphs (f) and (g); and
 - (i) **Right to challenge**—an agency must allow a person affected by a decision made using automated decision-making software an opportunity to challenge the decision if
 - (i) the decision was made using high-risk automated decision-making software; or
 - (ii) the decision was a high-risk decision; or
 - (iii) the decision has resulted in or will result in the disclosure of sensitive information; or
 - (iv) the decision made may affect or has affected, in a detrimental matter, more than 50 individuals; or
 - (v) a reasonable person would suspect that the decision was affected by actual bias; or
 - (vi) the decision is vague.
 - (j) **Compliance with technical standards**—any agency must comply with any technical standards approved by regulation.
- (2) In this section—
compatible with human rights see *Human Rights Act 2019*, section 8.

133C Agencies to comply with the ADM Principles

- (1) This section applies if an agency creates or uses automated decision-making software.
- (2) The agency must comply with the ADM Principles.

7 Amendment of s 135 (Performance monitoring and support functions)

- (1) Section 135(1)(a)(ii), after ‘privacy’—
insert—
and automated decision-making
- (2) Section 135(1)(b), after ‘privacy’—
insert—
and automated decision-making
- (3) Sections 135(1)(b)(i) and (iii), after ‘privacy principles’—
insert—
and ADM principles
- (4) Sections 135(1)(b)(iv) and (v) and (c), after ‘privacy’—
insert—
and automated decision-making

8 Amendment of s 158 (Compliance notice)

- Section 158(1)(a) after ‘privacy principles’—
insert—
or ADM principles

8A Amendment of sch 5 (Dictionary)

- (1) Schedule 5—
insert—

[s 9]

ADM Principles see section 133B.

automated decision-making software see section 25B.

chosen software see section 133AA.

high-risk automated decision-making software
see section 25C.

high-risk decision see section 25C.

makes a decision, for software, see section 25A.

- (2) Schedule 5, definition sensitive information, after ‘for the NPPs’

insert—

and the ADM Principles

Part 3

Amendment of Police Powers and Responsibilities Act 2000

9 Act amended

This part amends the *Police Powers and Responsibilities Act 2000*.

10 Insertion of new ch 13A

After chapter 13—

omit, insert—

Chapter 13A Biometric identification systems

Part 1

Preliminary

364A Definitions for chapter

In this chapter—

automated decision-making software see *Information Privacy Act 2009*, section 25B.

biometric identification system means automated decision-making software that collects and compares biometric information for the purpose of identifying persons.

biometric information, for a person, includes information about the person's face, fingerprints, iris, palm, signature and voice.

permitted purpose see section 364C.

real-time biometric identification order see section 364C.

real-time biometric identification system means a biometric identification system that compares collected biometric information with other biometric information in real time or very shortly after the time of collection.

Part 2 Use of real-time biometric identification system

364C Application for real-time biometric identification order

- (1) A police officer may apply to a magistrate for an order (a *real-time biometric identification order*) authorising the police officer, subject to any conditions stated in the order, to use a real-time biometric identification system in a public place for one or more of the following purposes (*permitted purposes*)—

[s 10]

- (a) searching for, in a targeted manner—
 - (i) victims of abduction, kidnapping, human trafficking; and
 - (ii) missing persons;
 - (b) preventing a specific, substantial and imminent threat to the life or physical safety of individual;
 - (c) prevent a genuine and present or foreseeable threat of terrorist attack;
 - (d) locating an individual who has committed an offence punishable on conviction by imprisonment for 2 years or more.
- (2) An application may be made by phone, fax, email, radio, videoconferencing or another form of electronic communication.

364D Making of real-time biometric identification order

- (1) A magistrate may make a real-time biometric identification order only if the magistrate is satisfied that—
- (a) the use of a real-time biometric identification system is necessary to achieve a permitted purpose; and
 - (b) the foreseeable benefit gained from using the real-time biometric identification system outweighs the foreseeable detriment caused by the use of the real-time biometric identification system.
- (2) In deciding whether the foreseeable benefit gained from using the real-time biometric identification system outweighs the foreseeable detriment caused by the use of the real-time biometric identification system, the magistrate must have regard to—

- (a) the seriousness of the harm that may occur while the permitted purpose remains unachieved; and
- (b) the impact on the human rights of individuals whose information will be collected and processed by the real-time biometric identification system.

364E What real-time biometric identification order must state

A real-time biometric identification order must state the following—

- (a) the real-time biometric identification systems that may be used;
- (b) the permitted purposes that the real time biometric identifications systems may be used for;
- (c) the places where the real-time biometric identification systems may collect and process information from;
- (d) the length of time the real-time biometric identification systems may collect and process information for;
- (e) any other conditions the magistrate considers appropriate.

364F Use of a real-time biometric identification system in urgent circumstances

- (1) A police officer may use a real-time biometric identification system in a public place for a permitted purpose without a real-time biometric identification order if it is necessary having regard to the following—

[s 10]

- (a) the seriousness of the harm that may occur while the permitted purpose remains unachieved;
 - (b) whether using the real-time biometric identification system without a real-time biometric identification order will reduce the harm;
 - (c) the impact on the human rights of individuals whose information will be collected and processed by the real-time biometric identification system;
 - (d) the public interest in the judicial oversight of the use of real-time biometric identification systems in public places.
- (2) The police officer must apply for a real-time biometric identification order within 48 hours after they start using the real-time biometric identification system.
- (3) The police officer must stop using the real-time biometric identification system if—
- (a) the use of the real-time biometric identification system is no longer necessary; or
 - (b) the officer does not apply for a real-time biometric identification order within 48 hours after the officer starts using the real-time biometric identification system; or
 - (c) a real-time biometric identification order is not made within 48 hours after the officer starts using the real-time biometric identification system.

364G Erasure of information collected and processed

All information collected or processed by a

real-time biometric identification system under this part must be erased—

- (a) if a real-time biometric identification order is made—within 7 days after all prosecutions for offences associated with the use of the real-time biometric identification system are completed or not proceeded with; or
- (b) otherwise—within 1 hour after the police officer must stop using the real-time biometric identification system under section 364E(3).

10A Amendment of sch 6 (Dictionary)

Schedule 6—

insert—

automated decision-making software, for chapter 13A, see section 364A.

biometric identification system, for chapter 13A, see section 364A.

biometric information, for chapter 13A, see section 364A.

real-time biometric identification order, for chapter 13A, see section 364A.

real-time biometric identification system, for chapter 13A, see section 364A.

Part 3A Amendment of Criminal Code

10B Code amended

This part amends the Criminal Code.

[s 10C]

10C Insertion of new s 25

After section 25—

insert—

**Chapter 33B Unlawful use of real
time biometric
identification
systems**

359G Definitions for chapter

In this chapter

real-time biometric identification system see
Police Powers and Responsibilities Act 2000,
section 364A.

**359H Unauthorised use of biometric identification
systems**

A person who, without lawful authority or a
reasonable excuse, uses a real-time biometric
identification system commits a misdemeanour.

Maximum penalty—100 penalty units or 2 years
imprisonment.

**Part 4 Amendment of Professional
Engineers Act 2002**

11 Act amended

This part amends the *Professional Engineers Act 2002*.

12 Amendment of long title

Long title, after ‘professional engineers’—

insert—

and professional software developers

13 Amendment of s 3 (Main objects of Act)

(1) Section 3(c), ‘engineers.’—

omit, insert—

engineers; and

(2) Section 3—

insert—

(d) to protect the public by ensuring certain software development is carried out by a registered professional software developer in a professional and competent way; and

(e) to uphold the standards of practice of registered professional software developers.

14 Amendment of s 4 (How main objects are achieved)

(1) Section 4(a), after ‘professional engineers’—

insert—

and professional software developers

(2) Section 4(c), after ‘engineering’—

insert—

and the practise of software development

(3) Section 4(d), ‘Board of Professional Engineers of Queensland’—

omit, insert—

Board of Professional Engineers and Software Developers of Queensland

[s 15]

15 Amendment of pt 2, hdg (Registration of professional engineers)

Part 2, heading, after ‘engineers’—

insert—

and professional software developers

16 Insertion of new s 7AA

After section 7A—

insert—

7AA Areas of software development

- (1) The *areas of software development* for this Act are areas of software development for which—
 - (a) there is an assessment scheme; or
 - (b) qualifications and competencies are prescribed under section 10(1)(b).
- (2) The board must publish the areas of software development on its website.

17 Amendment of s 8 (Applying for registration)

- (1) Section 8—

insert—

- (1A) Only an individual may apply to the board for registration as a registered professional software developer for an area of software development.

- (2) Section 8(2)(b)(ii), after ‘area of engineering’—

insert—

or area of software development

- (3) Section 8(3), ‘registered professional engineer’—

omit, insert—

registered professional

- (4) Sections 8(1A) to (4)—
renumber as section 8(2) to (5).

18 Amendment of s 9 (Eligibility)

Section 9(1)(b), after ‘registered professional engineer’—
insert—
or registered professional software developer

19 Amendment of s 11 (Fitness to practise as a registered professional engineer)

- (1) Section 11, after ‘registered professional engineer’, all occurrences—
insert—
or registered professional software developer
- (2) Section 11(a)(iii), after ‘practise of engineering’—
insert—
or the practise of software development
- (3) Sections 11(b) and (h), after ‘professional engineer’—
insert—
or professional software developer
- (4) Section 11(c), after ‘professional engineers’—
insert—
or software developers

20 Amendment of s 13 (Grant of application)

- (1) Section 13(1)—
omit, insert—
(1) If the board decides to grant the application, it must as soon as practicable—

[s 21]

- (a) either—
 - (i) if the application is for registration as a registered professional engineer—register the applicant as a registered professional engineer in 1 or more of the areas of engineering for which the applicant is qualified for registration; or
 - (ii) if the application is for registration as a registered professional software—register the applicant as a registered professional engineer in 1 or more of the areas of software development for which the applicant is qualified for registration; and
- (b) give the applicant a certificate of registration.

(2) Section 13(4)—

omit, insert—

- (4) In deciding the areas of engineering or the areas of software development for which an applicant may be registered, the board must have regard to the applicant's qualifications and competencies in the practice of engineering and the practise of software development.

21 Amendment of s 18 (Applying for renewal)

(1) Section 18—

insert—

- (1A) A registered professional software developer may apply to the board for renewal of the professional software developer's registration.

(2) Sections 18(5) and (6), 'registered professional engineer'—

omit, insert—

registered professional

- (3) Sections 18(1A) to (6)—
renumber as section 18(2) to (7).

22 Amendment of s 20 (Deciding application)

Sections 20(2)(a) and (4), ‘registered professional engineer’—
omit, insert—
or registered professional software developer

23 Amendment of pt 5, hdg, s 77 and sch 2

Sections 20(2)(a) and (4), ‘registered professional engineer’,
all occurrences—
omit, insert—
registered professionals

24 Amendment of pt 5, hdg, s 77 and sch 2

Part 5, heading, section 77(1) and schedule 2, definition
board, ‘Board of Professional Engineers of Queensland’—
omit, insert—
Board of Professional Engineers and Software
Developers of Queensland

25 Amendment of pt 5, hdg, s 77 and sch 2

Sections 80(1)(c) and (d), ‘registered professional
engineers’—
omit, insert—
registered professionals

[s 26]

26 Insertion of new s 113A

After section 113—

insert—

113A Claims about being a registered professional software developer

- (1) A person who is not a registered professional software developer must not—
 - (a) claim, or hold themselves out, to be a registered professional software developer; or
 - (b) allow themselves to be held out as a professional software developer.

Maximum penalty—1,000 penalty units

- (2) A person must not hold out another person as a registered professional software developer if the person knows or ought reasonably to know the other person is not a registered professional software developer.

Maximum penalty—1,000 penalty units

27 Amendment of s 114 (Using titles or names)

Section 114—

insert—

- (2) A person who is not a registered professional software developer must not use—
 - (a) the titles ‘registered professional software developer’, ‘registered professional software developer of Queensland’ or ‘RPSDQ’; or
 - (b) another title or name, prescribed under a regulation, that in the context in which the title or name is used suggests that the person is a registered professional software developer.

Maximum penalty—1,000 penalty units

28 Insertion of new s 115A

After section 115—

insert—

115A Who may carry out professional software development services

- (1) A person who is not a registered professional software developer must not carry out professional software development services.

Maximum penalty—1,000 penalty units

- (2) However, a person does not commit an offence under subsection (1) if—

(a) the professional software development services do not fall within an area of software development; or

(b) the person carries out professional software development services under the direct supervision of a registered professional software developer who is responsible for the software development.

- (3) A person who is a registered professional software developer must not carry out professional software development services in an area of software development other than an area of software development for which the person is registered under this Act.

Maximum penalty—1,000 penalty units

- (4) However, a person does not commit an offence against subsection (3) if—

(a) the professional software development services do not fall within an area of software development; or

[s 29]

- (b) the person carries out the professional software development services under the direct supervision of a registered professional software developer who is registered in the area of software development and responsible for the software development.
- (5) For this section, a person carries out professional software development services development under the direct supervision of a registered professional software developer only if the software developer directs the person in the carrying out of the software development and oversees and evaluates the carrying out of the software development by the person.

Note—

See also section 6A in relation to the potential application of this section outside Queensland.

29 Amendment of sch 2 (Dictionary)

- (1) Schedule 2, definition *certificate of registration*, after ‘registered professional engineer’—

insert—

or registered professional software developer

- (2) Schedule 2, definition *contact details*—

omit, insert—

contact details, of a registered professional, means the registered professional’s business address, telephone number, facsimile number or email address notified to the board by the professional and the professional’s registration number.

- (3) Schedule 2, definition *health assessment*—

omit, insert—

health assessment, in relation to a registered professional, includes—

- (a) a medical or psychiatric examination or test of the professional; and
- (b) asking questions to assess the professional's mental and health.

(4) Schedule 2, definition *unsatisfactory professional conduct*—
omit, insert—

unsatisfactory professional conduct, for a registered professional, includes the following—

- (a) conduct that is of a lesser standard than that which might reasonably be expected of the registered professional by the public or the professional's peers;
- (b) conduct that demonstrates incompetence, or a lack of adequate knowledge, skill, judgement or care, in the practice of engineering or the practise of software development;
- (c) misconduct in a professional respect;
- (d) fraudulent or dishonest behaviour in the practice of engineering;
- (e) other improper or unethical conduct.

(5) Schedule 2—
insert—

areas of software development see section 7AA.

out-of-the-box software means generalist software which is not designed for the context in which it is being used, but can be used to achieve goals in the context.

Example—

a large language model which is used to evaluate applicants for a job

[s 30]

professional services means professional engineering services and professional software development.

professional software development service—

- (a) means a service that involves applying computer science principles to create, design, deploy or support software; and
- (b) includes a service that involves any of the following—
 - (i) programming software;
 - (ii) testing software;
 - (iii) maintaining or updating software;
 - (iv) approving the use of out-of-the-box software.

registration number means—

- (a) for a registered professional engineer—the engineer’s RPEQ registration number;
- (b) for a registered professional software developer—the software developer’s RPSDQ registration number.

registered professional means a person registered as a registered professional engineer or registered professional software developer under this Act.

RPSDQ registration number means the number assigned to a registered professional software developer on the software developer’s certificate of registration.

30 Amendment of various provisions

All provisions of part 2, division 2 to part 6 and part 8 to part 11 of the Act not already amended by this Act are amended by—

- (a) omitting ‘registered professional engineer’ and inserting ‘registered professional’; and
- (b) omitting ‘registered professional engineer’s’ and inserting registered professional’s’; and
- (c) omitting ‘registered professional engineers’ and inserting ‘registered professionals’; and
- (d) after ‘professional engineers, inserting ‘or professional software developer’; and
- (e) after ‘professional engineers’, inserting ‘or professional software developers’; and
- (f) omitting ‘engineer’ and inserting ‘professional’; and
- (g) omitting ‘engineer’s’ and inserting ‘professional’s’; and
- (h) omitting ‘engineers’ and inserting ‘professionals’; and
- (i) after ‘area of engineering’, inserting ‘or area of software development’; and
- (j) after ‘areas of engineering’, inserting ‘or areas of software development’; and
- (k) after ‘practice of engineering’, inserting ‘or the practice of software development’; and
- (l) omitting ‘professional engineering service’ and inserting ‘professional service’; and
- (m) omitting ‘audited engineer’ and inserting ‘audited professional’.

31 Insertion of new pt 11, div 6

After part 11, division 5—

insert—

Division 6

**Transitional provisions for
Information Privacy and
Other Legislation
(Automated**

Decision-Making) Youth Act 2024

172 Purpose of division

The purpose of this division is to ensure that, within 6 months of the commencement of this division, the development of high-risk automated decision-making software becomes an area of software development.

173 Definitions for this division

In this division—

automated decision-making software see *Information Privacy Act 2009*, section 25B.

high-risk decision see *Information Privacy Act 2009*, section 25C.

high-risk decision-making software see *Information Privacy Act 2009*, section 25C.

high-risk decision-making software development means the development of—

- (a) high-risk automated decision-making software that will foreseeably be used to make decisions about 50 or more persons; or
- (b) automated decision-making software that—
 - (i) may be used to make high-risk decisions; and
 - (ii) will foreseeably be used to make high-risk decisions about 50 or more persons.

makes a decision see *Information Privacy Act 2009*, section 25A.

174 Minister to ensure assessment schemes are approved for certain automated decision-making software development

The Minister must, within 6 months after the commencement of this division, approve an assessment scheme under part 6A for high-risk decision-making software development.