



**Australian Government**

**Department of Infrastructure, Transport,  
Regional Development, Communications and the Arts**

EMERGING AVIATION TECHNOLOGIES

# Don't pry when you fly: Privacy considerations for drone use

## Guidelines

June 2023



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# Document Control

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June 2022	0.2	Incorporation of relevant jurisdictional information (following feedback from the Drone Commonwealth/State and Territory Working Group)
July 2022	0.3	Working Group draft (incorporation of feedback from the National Emerging Aviation Technologies Consultative Committee)
November 2022	0.4	Initial consultation draft (incorporation of additional feedback from the National Emerging Aviation Technologies Consultative Committee and the Drone Commonwealth/State and Territory Working Group)
June 2023	0.5	Public consultation draft

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# Introduction

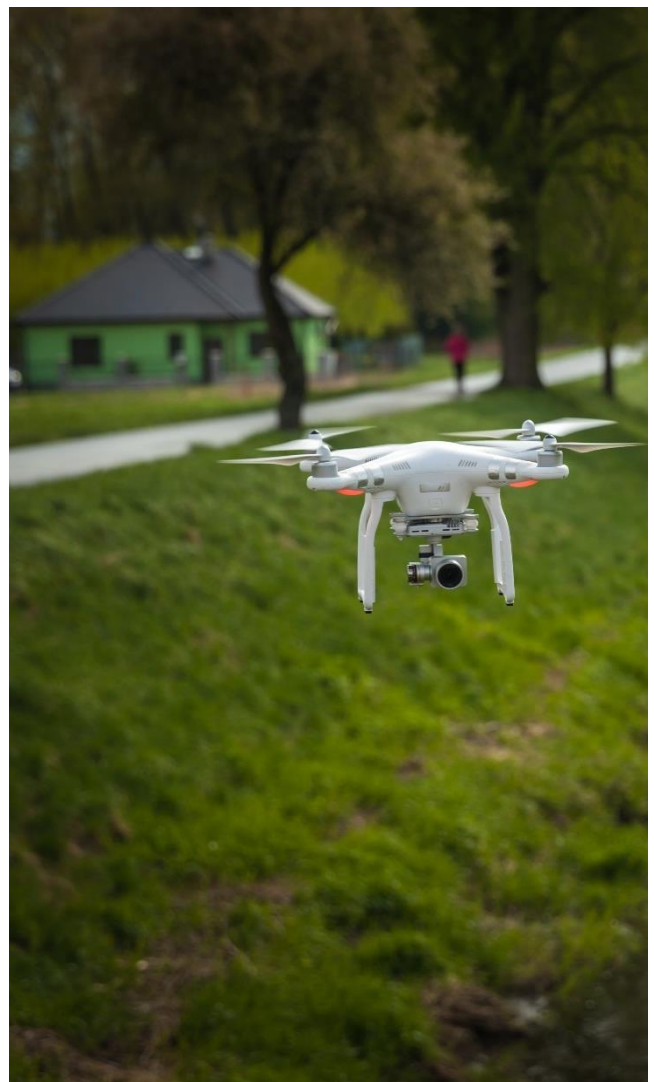
*These Guidelines consider relevant Australian privacy and surveillance legislation to provide commercial and recreational drone operators with a set of consolidated, easy to follow, baseline measures for operating drones in line with privacy expectations of the communities drones operate in and over.*

The *Guidelines* do not impose any additional obligations but aim to assist drone operators and the community to understand and effectively manage privacy concerns of using drones in potentially privacy sensitive areas or applications.

The *Guidelines* include content on personal and private information, common misconceptions relating to drones and privacy, and provide six best practice Drone Privacy Principles (DPPs) for all drone operators. This will assist drone operators in ensuring that their operations are privacy compliant. Although the DPPs are not enforceable, compliance is strongly encouraged to meet community expectations. The *Guidelines* will help raise awareness of privacy safeguards associated with drones, building greater confidence in these technologies and allowing Australia to benefit from them.

The *Guidelines* were developed by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts, following targeted engagement through policy development consultative mechanisms and nation-wide bilateral consultation with state and territory governments and industry.

**Please note, this document does not include legal advice.**



## Background

No matter the application, whether for business or fun, you should operate your drone (also known as a remotely piloted aircraft (RPA)<sup>1</sup>) in a way that respects reasonable expectations of privacy, and protects personal information. This includes being aware of existing Commonwealth, state and territory laws that apply where you fly.

Drone operators broadly fall under two user groups, commercial and recreational, both have varying requirements for operation and registration. Commercial operators use their drone for business purposes, whilst recreational operators use their drones for personal purposes.

Commercial operators require either an operator accreditation or a remote pilot licence (RePL) to operate, depending on the type of drone used and the operation. Additionally, commercial operators may need to operate for an individual or business that holds a remotely piloted aircraft operator's certificate (ReOC). A ReOC may include additional permissions and approvals to conduct more complex drone operations outside the Civil Aviation Safety Authority (CASA) drone safety rules<sup>2</sup>. Commercial drone operators are required to register their drone through CASA.

Recreational drone users must follow CASA drone safety rules<sup>3</sup> but don't currently need to register their drones. CASA's safety rules restrict flying outside the operator's visual line-of-sight, drone flight closer than 30 metres to people, flying over or above populated areas, and other considerations.

These *Guidelines* were recognised as a necessary document to acknowledge the unique potential impacts of drone use on privacy and the heightened community sensitivity to the use of drones in areas where there is a reasonable expectation of privacy. The *Guidelines* were designed to ensure operators know the expectations and responsibilities that may apply to their operations under Commonwealth, state and territory privacy and surveillance laws.

The laws that apply differ between states and territories. A summary of some applicable laws is available on the Australian Government's Drone Information Hub<sup>4</sup>.

## Application

These *Guidelines* include six Drone Privacy Principles (DPPs), which are underpinned by relevant principles-based law, privacy and surveillance legislation and regulations, and have been written to assist operators in working towards meeting privacy related obligations when flying drones. The *Guidelines* and DPPs are not meant to be exhaustive, and some drone operations may be subject to additional obligations now or in the future. Compliance with the DPPs does not imply compliance with the applicable laws for all drone operators and types of operation. The DPPs act as an important component in broader accountability and should be read together with laws or provisions relating to specific operations, and CASA's guidance for drone use, including the basic drone safety rules<sup>5</sup>.

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<sup>1</sup> For more information about drones, including definitions and categories visit, date cited December 2022

<<https://www.casa.gov.au/drones/drone-rules/drone-safety-rules/types-drones>>

<sup>2</sup> Civil Aviation Safety Authority, 'Drone rules', date cited February 2023, <<https://www.casa.gov.au/drones/drone-rules>>

<sup>3</sup> Civil Aviation Safety Authority, 'Drone rules', date cited February 2023, <<https://www.casa.gov.au/drones/drone-rules>>

<sup>4</sup> Drones Information Hub, 'Privacy policy', date cited December 2022, <<http://www.drones.gov.au/policies-and-programs/policies/privacy-policy>>

<sup>5</sup> Civil Aviation Safety Authority, 'Drone rules', date cited February 2023, <<https://www.casa.gov.au/drones/drone-rules>>

The *Guidelines* apply to both commercial and recreational operators, and the DPPs make distinctions where relevant.

If, after reading this document and the links contained herein, you are still unsure about whether your drone operation is in breach of relevant laws, please seek further advice from a relevant state or territory privacy body<sup>6</sup>, the Office of the Australian Information Commissioner<sup>7</sup> or legal advice, as appropriate to your operation.

## Legislation

### Privacy

Giving notice of the collection of people's personal information is a requirement under privacy principles in privacy legislation. Recording private information or a private conversation without consent (depending on the applicable state or territory surveillance devices legislation and the private information recorded) may constitute an offence. If personal information has been captured deliberately or inadvertently, it is possible for it to count as an offence, especially if the recording is published or communicated (unless all parties consent).

Remote sensing equipment used on drones can be optical (i.e. cameras) or non-optical (i.e. light detection and ranging (LiDAR)). Data collected using sensors that are not camera-based are designed to produce images without identifiable features. This technology mitigates the capture of personal information and may reduce the application of certain privacy legislative requirements.

### Surveillance Devices

It is important to note that depending on the state or territory, regulation of surveillance devices may be different to those dealing with handling or collecting personal information. Despite the potential differences, both serve the same purpose of protecting personal information.

While information privacy legislation only applies to the entities specified in the relevant Commonwealth, state or territory legislation (and is unlikely to capture recreational drone users), surveillance devices legislation generally applies to all persons.

Equipment attached to a drone that can record or transmit sound or a visual image, such as camera-based recording equipment, may deem the drone a recording device for the purposes of surveillance devices legislation.

At this stage the *Guidelines* only relate to drone operations. Other recording devices such as dash cameras, or in-vehicle devices, are not captured in this document.

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<sup>6</sup> Office of the Australian Information Commissioner, 'Privacy in your state', date cited March 2023, <<https://www.oaic.gov.au/privacy/privacy-legislation/state-and-territory-privacy-legislation/state-and-territory-privacy-legislation>>

<sup>7</sup> Office of the Australian Information Commissioner, 'Contact us', date cited December 2022, <<https://www.oaic.gov.au/about-us/contact-us>>

## Breaches

While conducting their operations, both commercial and recreational drone operators should be aware that inappropriate drone use could breach Commonwealth, state and territory laws. This may be additional to laws specific to privacy, including prohibition of trespass, harassment, intimidation, nuisance, and endangering safety. Some laws mention drones specifically, some do not. For example, drones may be considered aircraft, recording equipment, cameras and surveillance devices in different contexts and even if laws do not explicitly mention drones, they may still apply to drones. Generally speaking, the use of drones in many situations is regulated by existing laws, in the same way it would be if the action was conducted in person or using other devices or equipment. Inappropriate use of a drone could also result in the commission of a criminal offence, for example unlawful listening to or recording of private conversations, unlawful observing, recording private acts, or distributing intimate images.

If a recreational operator has breached CASA safety rules, or a commercial operator has breached the terms of their ReOC, CASA can issue penalties by withdrawing licenses and registration. In the event of a drone becoming a hazard to other aircraft, fines over \$30,000 and imprisonment of up to 2 years can apply.

## Contact us

For more information or to share your views on drones, you can have your say on the Drones Information Hub at [www.drones.gov.au](http://www.drones.gov.au).

For specific privacy concerns, The Office of the Australian Information Commissioner has a combined list of relevant privacy contacts for all jurisdictions on the 'Privacy in your state' webpage at [www.oaic.gov.au/privacy/privacy-legislation/state-and-territory-privacy-legislation](http://www.oaic.gov.au/privacy/privacy-legislation/state-and-territory-privacy-legislation).

Alternatively, you may submit your feedback or privacy concerns to [drones@infrastructure.gov.au](mailto:drones@infrastructure.gov.au). This will be forwarded on to the relevant jurisdiction for appropriate action.



# Personal or Private Information

Drones are capable of collecting personal or private information. It's important for a drone operator to understand what personal and private information is, and importantly, the different rules that apply to them.

*Personal information*<sup>8</sup> refers to information or opinion about an identified individual, or an individual who is reasonably identifiable. This includes:

- a) whether the information or opinion is true or not; and
- b) whether the information or opinion is recorded in a material form or not.

Personal information is information closely related to an individual that could be used to identify them. This could be an individual's address, phone number, date of birth, credit card information, employee record information, photograph, voice recording, or otherwise.

*Private information* includes information gathered, through audio or video, or a private conversation or engaging in a private activity. Private information is one form of personal information as defined under the *Privacy Act 1988*.

Drone operators should consider an activity private if it is reasonable to assume the people taking part in it would only want the people involved to be party to it.



### Ask yourself:

- *Are the people in the activity conversing loudly or openly?*
- *Did the people move away from public areas to engage in the activity?*
- *Is the activity personal or about a personal subject?*
- *Would you like to have this activity or similar recorded if you were involved in it?*

An activity should be treated as private where it would be reasonable to assume the parties to the activity would want it to be known only to themselves, even if it is happening on public property.



### Ask yourself:

- *Does the activity show an image that could reasonably lead to the identity of a person?*
- *Is the activity taking place somewhere it would not usually be seen by the public?*
- *Could you see the activity without using a drone?*
- *Is the activity something that is not usually done in public?*
- *Would you want a family member to be recorded if they were in that situation?*

<sup>8</sup> Federal Register of Legislation, 'Privacy Act 1988', dated cited February 2023, <<https://www.legislation.gov.au/Details/C2022C00361>>

## Collection of personal information

The collection of personal information is regarded differently in context of private or public spaces. Information gathered in private spaces would be considered an invasion of both privacy and confidence, and enforced accordingly under general information privacy laws. Public spaces, such as concerts, or generally public locations, make information harder to protect due to Australia's freedom of recording laws. However, regulations protecting information handling are able to secure sensitive data through censorship or deletion.

It is important to note, that while recorded personal information should be secured to prevent unauthorised access, disclosure or loss, the recording and collection of personal information may be prohibited under applicable state or territory surveillance or listening devices legislation.

# Drone Privacy Principles (DPPs)

Principle	Description	Applications for Drone Users	
		Recreational	Commercial
1. <b>Informing others or obtaining consent (where practical, proportional to the drone operation)</b>	<p>Drone operators should have a clear idea about the type of information that may be captured prior to flying their drone, and plan appropriately for it. You should wherever possible:</p> <ol style="list-style-type: none"> <li>give appropriate notice</li> <li>seek express or implied consent</li> <li>inform the impacted party if a drone has inadvertently operated in a way that has captured or collected personal information.</li> </ol> <p>More general information can be found under Part 2 of the Australian Privacy Principles<sup>9</sup>.</p>	<ul style="list-style-type: none"> <li>Recreational drone operators must comply with CASA’s drone safety rules<sup>10</sup>, which include flying no less than 30 metres around people at any time or height. Depending on the drone equipment this may mean if data is collected, it is not identifiable.</li> <li>Recreational drone operators should seek to give notice or seek consent either in person or in writing, as appropriate to the activity.</li> <li>When complying with CASA’s drone safety rules, recreational drone operators should always fly their drone within visual line-of-sight, and where possible, alert people in the area not involved with the operation, and gain their consent if required.</li> <li>Where possible, operate the drone in an area where people impacted can see who is responsible for flying it, while ensuring compliance with CASA’s drone safety rules.</li> </ul>	<ul style="list-style-type: none"> <li>Commercial operators should consider strategies that are practical and applicable to the scope, duration maturity of their operation.</li> <li>For some commercial operators, this may include public awareness campaigns and communications strategies, as appropriate to the operation.</li> <li>Commercial operators may consider communication strategies that include the following information, where appropriate: <ul style="list-style-type: none"> <li>Nature and purpose of operations</li> <li>Regulatory and other approvals</li> <li>Location, time/s and frequencies of flights</li> <li>Drone capability (i.e. high/low resolution recording equipment)</li> <li>Data capture, collection, storage and use (see also DPP2)</li> </ul> </li> <li>Commercial operators should consider an easily accessible avenue for community members to express concern and seek further information about intended operations.</li> </ul>

<sup>9</sup> Australian Privacy Principles, ‘Part 2’, date cited December 2022, <<https://www.oaic.gov.au/privacy/australian-privacy-principles/read-the-australian-privacy-principles>> Please note, for some commercial operators (if covered under the *Privacy Act 1988*) compliance with the Australian Privacy Principles is compulsory.

<sup>10</sup> Civil Aviation Safety Authority, ‘Drone rules’, date cited February 2023, <<https://www.casa.gov.au/drones/drone-rules>>

Principle	Description	Applications for Drone Users	
		Recreational	Commercial
2. <b>Minimising the viewing, recording and/or collection of data</b>	<p>Drone operators should avoid using a drone to view, record and/or collect<sup>11</sup> personal information, unless this impedes the legitimate purpose for which the drone has permission from a relevant authority to be used and is in line with all applicable laws and regulations.</p> <p>An effort should be made in general to minimise all data collection and storage. If you inadvertently collect personal information, the drone operator should, in the first instance, de-identify or destroy the data. If the data is required, the drone operator should, to the best of their ability, seek the consent of the affected party.</p> <p>More general information can be found under Part 2 of the Australian Privacy Principles<sup>12</sup>.</p>	<ul style="list-style-type: none"> <li>Recreational drone operators should avoid using recording equipment to view and/or collect personal information.</li> <li>Recreational drone operators should avoid flying over private property where possible, and avoid operating equipment that is capable of enabling the viewing, recording and/or collecting of private or personal information, if flying over private property is required.</li> <li>Neighbourly drone use is encouraged. In contrast, behaviour that is anti-social is discouraged as it is in most cases already illegal. This includes harassment, intimidation, voyeurism, nuisance and endangering safety.</li> </ul>	<ul style="list-style-type: none"> <li>Commercial operators should carry out a privacy impact assessment<sup>13</sup> prior to undertaking the use of a drone. This is to minimise the collection of unnecessary personal information and identify privacy risks and strategies to avoid those risks.</li> <li>Commercial operators, to the best of their efforts, should only view, record and/or collect data that is necessary for their operation.</li> <li>Commercial operators who view, record and/or collect data using drones may need to have a written and easily accessible privacy policy that outlines: <ul style="list-style-type: none"> <li>The type of data that will (or will not) be viewed, recorded and/or collected</li> <li>The reason for data viewing, recording and/or collection</li> <li>Practices for retaining and sharing recorded and/or collected data</li> <li>Parties with whom data may be shared.</li> </ul> </li> </ul>

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<sup>11</sup> For the purposes of this paper, ‘viewing’ refers to the ability for the drone operator and/or organisation to view any content the drones may have/perceived to be able to see during its operation, ‘recording’ refers to the data being captured and stored for a defined period of time (for example for operational reasons) but not necessarily viewed or retained and ‘collecting’ refers to capturing, retaining and storing data either because this forms part of drone operation or for another purpose.

<sup>12</sup> Australian Privacy Principles, ‘Part 2’, date cited December 2022, <<https://www.oaic.gov.au/privacy/australian-privacy-principles/read-the-australian-privacy-principles>> Please note, for some commercial operators (if covered under the *Privacy Act 1988*) compliance with the Australian Privacy Principles is compulsory.

<sup>13</sup> Office of the Australian Information Commissioner, ‘Privacy impact assessments’, date cited March 2023, <<https://www.oaic.gov.au/privacy/privacy-impact-assessmentshttps://www.oaic.gov.au/about-us/contact-us>>

Principle	Description	Applications for Drone Users	
		Recreational	Commercial
3. <b>Using data only for the original purpose</b>	<p>If you have obtained personal information that was for one purpose, you should not use or disclose it for a secondary or different purpose.</p> <p>If personal information has been captured deliberately or inadvertently, it should not be disseminated or made public without the consent of the affected people.</p> <p>More general information can be found under Part 3 of the Australian Privacy Principles<sup>14</sup>.</p>	<ul style="list-style-type: none"> <li>Recreational drone operators should not publish or disseminate data captured using drones without prior consent if this data has the potential to contain personal information.</li> <li>If consent cannot be obtained, personal information within the data should be de-identified before sharing or disseminating it.</li> <li>Drone operators can contact the Office of the Australian Information Commissioner<sup>15</sup> or their state or territory privacy body<sup>16</sup> to discuss how to handle personal information.</li> </ul>	<ul style="list-style-type: none"> <li>Commercial operators should only share data that is necessary to complete their contract or carry out their ongoing operation.</li> <li>Commercial operators may need to seek specific, written approval from a person if sharing, distributing or publishing material necessary to complete a contract or operation that may cause offense, be sensitive or harmful in nature or violate a person's reasonable expectation of privacy.</li> </ul>
4. <b>Handling data securely</b>	<p>Drone operators who have collected personal information should only retain information necessary for their operation and take reasonable steps to ensure information is stored securely and protected from misuse, interference, loss, unauthorised access or disclosure.</p> <p>More general information can be found under Part 3 of the Australian Privacy Principles<sup>17</sup>.</p>	<ul style="list-style-type: none"> <li>Recreational drone operators should not capture personal information using drones without first obtaining consent.</li> <li>Data that has been collected should be stored in an access managed environment until it can be de-identified or destroyed.</li> </ul>	<ul style="list-style-type: none"> <li>If the information is no longer operationally required or required for regulatory or safety analysis reasons, a commercial operator should take reasonable steps to ensure it is de-identified or destroyed.</li> <li>Commercial operators that have the potential to collect personal information should manage risks to that information by implementing a data management process that contains reasonable administrative, technical, and physical safeguards appropriate to: <ul style="list-style-type: none"> <li>the operator's size and complexity,</li> <li>the nature and scope of its activities, and</li> <li>the sensitivity of the covered data.</li> </ul> </li> </ul>

<sup>14</sup> Australian Privacy Principles, 'Part 3', date cited December 2022, <<https://www.oaic.gov.au/privacy/australian-privacy-principles/read-the-australian-privacy-principles>> Please note, for some commercial operators (if covered under the *Privacy Act 1988*) compliance with the Australian Privacy Principles is compulsory.

<sup>15</sup> Office of the Australian Information Commissioner, 'Contact us', date cited December 2022, <<https://www.oaic.gov.au/about-us/contact-us>>

<sup>16</sup> Office of the Australian Information Commissioner, 'Privacy in your state', date cited March 2023, <<https://www.oaic.gov.au/privacy/privacy-legislation/state-and-territory-privacy-legislation/state-and-territory-privacy-legislation>>

<sup>17</sup> Australian Privacy Principles, 'Part 3', date cited December 2022, <<https://www.oaic.gov.au/privacy/australian-privacy-principles/read-the-australian-privacy-principles>> Please note, for some commercial operators (if covered under the *Privacy Act 1988*) compliance with the Australian Privacy Principles is compulsory.

Principle	Description	Applications for Drone Users	
		Recreational	Commercial
5. <b>Knowing laws and rules</b>	<p>If you are unsure if your drone operation will have privacy implications, you should consult the laws in the state, territory or council you intend to operate in. Laws and rules relating to privacy may not mention drones but may still capture drone activities.</p> <p>Contacting the relevant government agency or getting legal advice may be necessary before undertaking your operation if there is a possibility of personal information being captured.</p>	<ul style="list-style-type: none"> <li>Recreational drone operators must fly in accordance with CASA's drone safety rules<sup>18</sup>, or the rules of an approved aviation administration organisation.</li> <li>CASA drone safety rules support aviation safety outcomes but do not necessarily cover other laws, regulations and by-laws that apply to flying drones in local jurisdictions, including laws relating to privacy and data.</li> <li>A summary of some of the laws that may apply to operators is available on the Drones Information Hub<sup>19</sup>.</li> </ul>	<ul style="list-style-type: none"> <li>Commercial drone operators who operate drones that may collect personal information, even if these are operated in line with the appropriate regulatory approvals, should ensure they are compliant with local laws and rules relating to privacy.</li> <li>A summary of some potentially applicable laws is available on the Drones Information Hub<sup>20</sup>.</li> </ul>

<sup>18</sup> Civil Aviation Safety Authority, 'Drone rules', date cited February 2023, <<https://www.casa.gov.au/drones/drone-rules>>

<sup>19</sup> Drones Information Hub, 'Privacy policy', date cited December 2022, <<http://www.drones.gov.au/policies-and-programs/policies/privacy-policy>>

<sup>20</sup> Drones Information Hub, 'Privacy policy', date cited December 2022, <<http://www.drones.gov.au/policies-and-programs/policies/privacy-policy>>

Principle	Description	Applications for Drone Users	
		Recreational	Commercial
6. <b>Being aware of the <i>Privacy Act 1988</i> and the Australian Privacy Principles (APPs)</b>	<p>Drone operators should familiarise themselves with their rights and responsibilities<sup>21</sup> under the <i>Privacy Act 1988</i><sup>22</sup> (the Privacy Act), including through the Australian Privacy Principles<sup>23</sup>.</p> <p>The APPs are technology neutral principles-based law that govern standards, rights and obligations around:</p> <ul style="list-style-type: none"> <li>the collection, use and disclosure of personal information</li> <li>an organisation or agency's governance and accountability integrity and correction of personal information</li> <li>the rights of individuals to access their personal information</li> </ul> <p>More general information can be found under the Australian Privacy Principles<sup>24</sup></p>	<ul style="list-style-type: none"> <li>The Privacy Act generally doesn't apply to a person acting in a private capacity, and therefore may not apply to recreational drone operators.</li> <li>For more information, consult with the Office of the Australian Information Commissioner.<sup>25</sup></li> </ul>	<ul style="list-style-type: none"> <li>The Privacy Act applies to Australian Government agencies (and the Norfolk Island administration) and organisations with an annual turnover more than \$3 million, as well some small business operators.</li> <li>Commercial drone operators who use drones to collect data should familiarise themselves with their responsibilities under the Privacy Act to determine whether data collected through their drone operations may be subject to provisions under the Privacy Act.</li> </ul>

Table 1: 6 Drone Privacy Principles featuring different applications depending on the type of drone user.

<sup>21</sup> Office of the Australian Information Commissioner, 'Rights and responsibilities', date cited December 2022, <<https://www.oaic.gov.au/privacy/the-privacy-act/rights-and-responsibilities#WhoHasResponsibilitiesUnderPrivacyAct>>

<sup>22</sup> Federal Register of Legislation, '*Privacy Act 1988*', dated cited February 2023, <<https://www.legislation.gov.au/Details/C2022C00361>>

<sup>23</sup> Australian Privacy Principles, date cited December 2022, <<https://www.oaic.gov.au/privacy/australian-privacy-principles/read-the-australian-privacy-principles>> Please note, for some commercial operators (if covered under the *Privacy Act 1988*) compliance with the Australian Privacy Principles is compulsory.

<sup>24</sup> Australian Privacy Principles, date cited December 2022, <<https://www.oaic.gov.au/privacy/australian-privacy-principles/read-the-australian-privacy-principles>> Please note, for some commercial operators (if covered under the *Privacy Act 1988*) compliance with the Australian Privacy Principles is compulsory.

<sup>25</sup> Office of the Australian Information Commissioner, 'Drones', date cited December 2022, <<https://www.oaic.gov.au/privacy/your-privacy-rights/surveillance-and-monitoring/drones>>

## Case studies: clarifying drone privacy misconceptions

The transformative nature of drones enables new ways to conduct business and leisure activities. These *Guidelines* support the safe and considerate use of these technologies in line with community expectations.



**“A drone is like a camera, and I can take pictures in public, so why is there an issue flying my camera equipped drone?”**

Due to their increased accessibility and ability to fly above fences, hedges and other implicit privacy boundaries, drones can observe people and record information in situations where others may have an expectation of privacy. The potential for drones to breach a person’s privacy or record personal information, even inadvertently, is significant. Used in this way, other than being possibly illegal, it may lead to negative community sentiment towards drones. Camera drones operated for recreational or commercial purposes are required to be used in a way that upholds the same reasonable expectations of privacy that would apply on the ground.

Drone operators must follow CASA’s drone safety rules or their operating conditions outlined in a ReOC. Additionally, drone operators must have a clear idea of the data they could capture before flight and seek relevant permission first, where possible.



**“All drones have high resolution cameras or recording equipment capable of capturing sensitive information from a distance.”**

Drones are designed with a variety of capabilities and uses, with many not having high resolution cameras or recording equipment. Some drones use low resolution cameras for flight safety whilst others use technology, such as LiDAR, to capture aerial survey data without recording personal information. Drones that fly frequently or that use these technologies are generally operated by government or commercial operators, who have the approvals to operate them for a legitimate purpose and subject to relevant conditions. Some of these include agricultural and environmental applications, power line and infrastructure inspections, and delivery of food and medical items.



**“I have delivery drones flying over my house daily. I am worried they are recording as they fly by.”**

A large majority of delivery drones use either low resolution, black and white cameras or LiDAR systems for navigation. Both pieces of equipment do not enable the same type of information collection as a drone with optical cameras, as their use is specifically for navigation. These drones also do not carry microphones, and therefore cannot record audio. If you are concerned with delivery drones in your area, you should communicate with the drone operator for more information.







“I think I have been recorded by a drone whilst at a public park, what can I do to prevent my information from being used?”

To establish if the drone was capturing data, the first step is to try and contact the drone operator. Once the drone operator has been contacted and if personal information may have been captured by the drone, you should clearly give/not give consent for the use of this data. If consent is not given, the drone operator must either delete or deidentify the data. If the drone operator cannot be located or contacted, you may wish to report your concern to CASA to determine if the drone use was in breach of drone safety rules.

If you are concerned for your or someone else’s welfare, please contact your local police.



“There are no avenues to communicate my concerns about privacy issues relating to drone operations in my area.”

If you are concerned about your privacy after observing drone operations in your area, consider the following questions:

**Is the drone operating for a legitimate purpose?**

If the drone appears like it is part of a commercial or government operation, consider contacting the responsible operator to learn about their operation and privacy policy. If you are unsure about the operation you can contact your local jurisdiction or CASA to find out about drone operations in your area.

**Can you contact the operator?**

If the operator is known and able to be contacted, they may be able to provide further information on their operation. If you cannot, you can contact your local jurisdiction or CASA to find out about drone operations in your area.

**Where can I voice concerns or ask questions?**

The best place to provide feedback on drones, ask questions about processes, or express general opinion is through the ‘Have Your Say’ submission page on [www.drones.gov.au](http://www.drones.gov.au).

CASA may be contacted to request information related to drone safety concerns or operator approvals at [www.casa.gov.au/about-us/contact-us](http://www.casa.gov.au/about-us/contact-us).



For more information or to share your views on drones, you can have your say on the Drone Information Hub<sup>26</sup>.

<sup>26</sup> Drone Information Hub, ‘Have your say’, date cited December 2022, <<https://www.drones.gov.au/have-your-say>>