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TO: [consultation@oaic.gov.au](mailto:consultation@oaic.gov.au)  
TO: The Office of the Australian Information Commissioner (OAIC)

**PCEHR (Information Commissioner Enforcement Powers) Guidelines 2015**

First of all, a lot of thanks to the Office of the Australian Information Commissioner (OAIC) for organising consultation for assessing the draft of PCEHR (Information Commissioner Enforcement Powers) Guidelines 2015.

This opinion represents an opinion of an individual citizen, not any legal entity.

- This opinion does not contain:
- any business secrets
  - any trade secrets
  - any confidential information.

This opinion is public.  
The PDF file of this opinion can be added to a relevant web page.

Annex 1 holds information about previous relevant consultations.  
Annex 2 holds information about disclaimers and copyright.

Best Regards,

Jukka S. Rannila  
citizen of Finland  
signed electronically

39

40 **General remarks: Mainly about information systems**

41

42 This opinion is mainly about information systems related to the Personally Controlled Electronic  
43 Health Records (PCEHR).

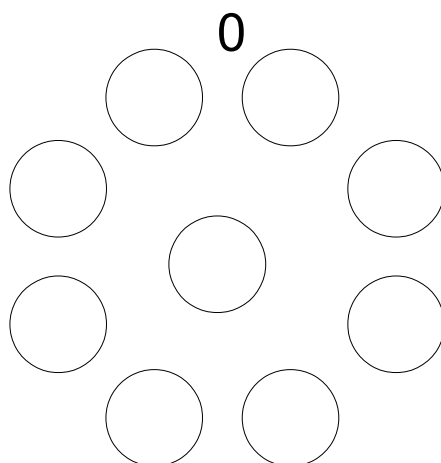
44

45 **General remarks: Also in Finland the <sup>1</sup> system for Personally Controlled Electronic Health  
46 Records (PCEHR) is decentralised**

47

48 Here we can note that there can be a lot of separate information systems in some contexts. The  
49 initial situation may mean totally independent systems without any connections.

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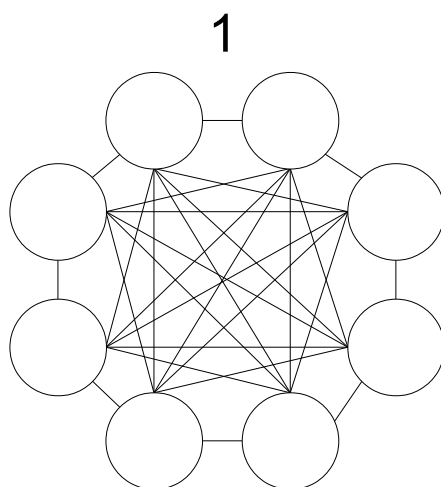


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53 IF information systems in some contexts are developed without clear guidelines there can be very  
54 complex connections between different systems.

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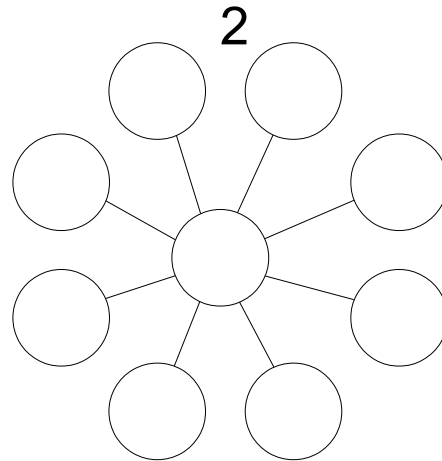
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1 <http://www.kanta.fi/en/>, Patient Data Repository

57

58 The opposite situation is naturally one centralised system with connections to several different  
59 systems.

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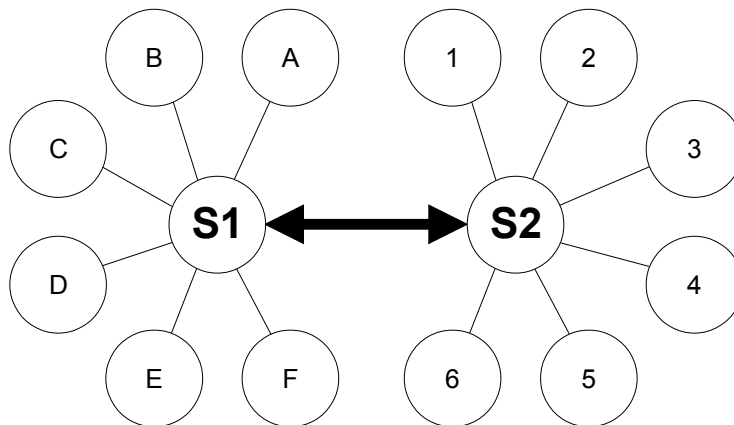
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63 The problem with this option is possible outages which mean problems with other systems.

64

**1-2**



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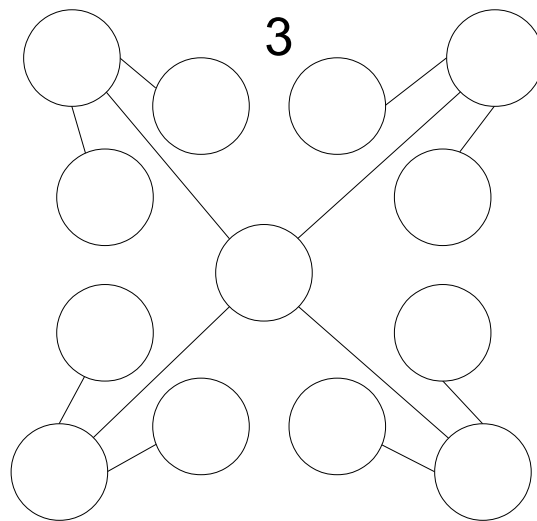
66

67 Next option may cooperation between some centralised (S1 ↔ S2) systems. Also this option may  
68 have problems in actual usage.

69

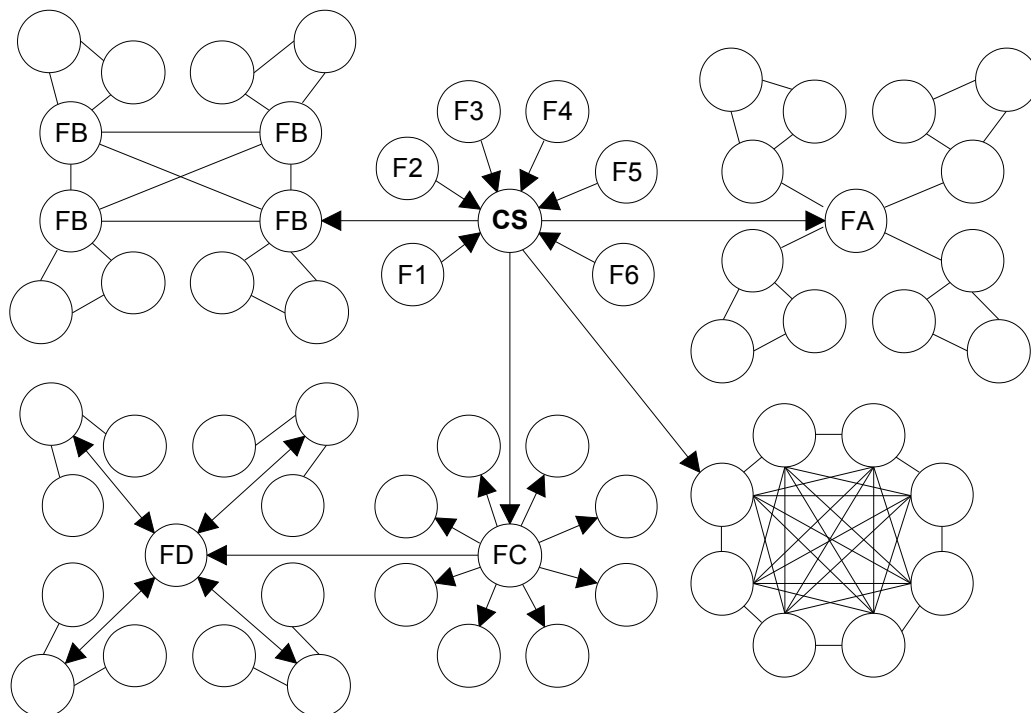
70 Based on the problems with centralised system there is yet another solution: systems organised  
71 based on different hierarchical solutions.

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Then we have to note that there can complex networks for different systems.



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Here we can note that the central system (CS) is in this context Personally Controlled Electronic Health Records (PCEHR) system. Then there can be cooperation with different systems. Then there can be different standards (format) for transmitting data between different systems.

83 **What this has to do with PCEHR (Information Commissioner Enforcement Powers)**  
84 **Guidelines 2015 (draft)?**

85

86 Some general issues can be noted:

87

88 (i) There can be complex networks of information systems.

89 (ii) Personally Controlled Electronic Health Records (PCEHR) system can be a central  
90 system for cooperation between different (sub)systems.

91 (iii) Decentralised nature for cooperation between systems can mean several connections.

92 (iv) All (private) information should be handled carefully in all (sub)systems.

93

94 **Some solutions based on previously mentioned problems?**

95

96 Here we can note that we are dealing with legislative text (PCEHR (Information Commissioner  
97 Enforcement Powers) Guidelines 2015 (draft))

98

99 Based on results of previous consultation we can note that complex legislative text can be presented  
100 with very readable forms and/or system interfaces.

101

102 **Proposal: The final legal text (PCEHR (Information Commissioner Enforcement  
103 Powers) Guidelines 2015) could be presented with more readable forms and/or system  
104 interfaces.**

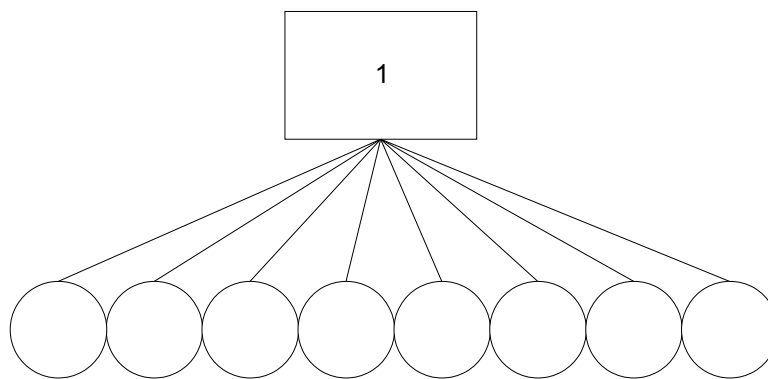
105

106 Too often we give complicated legal texts (legalese) for general usage – the same issues can be  
107 presented as more readable texts.

108

109 **Several readable forms and/or system interfaces**

110



111

112

113 Here we can note one system can have several interfaces – we can also note that different paper-  
114 based additions to a system should be very easy.

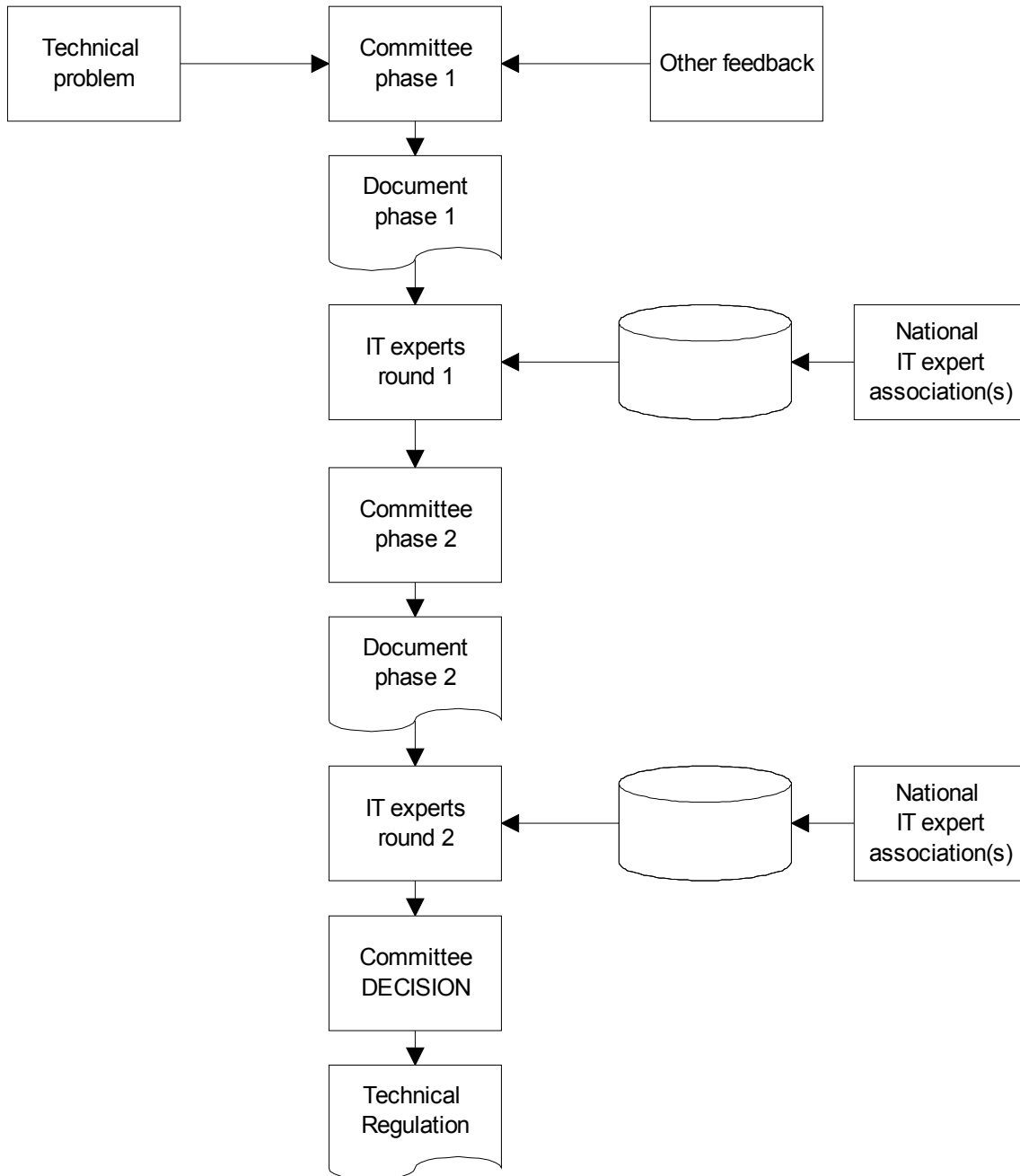
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116 **Proposal: There could be a consultation about the simple interfaces and simple (legal)  
117 forms.**

118

119 **Need for more technical consultations?**

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I have proposed in some cases more technically oriented consultations. Also I have proposed different questionnaires for members on different national IT expert associations.

**Proposal: There could be more more technically oriented consultations based on the results of this consultation.**

129 In European Union context ACER (The Agency for the Cooperation of Energy Regulators) has  
 130 organised several technically oriented consultations for assessing different issues in different ACER  
 131 systems – check Annex 1.

132

133 **Proposal: Information of different technically oriented consultations could be sent to**  
 134 **different IT expert associations.**

135

136 Naturally there should be only a limited number of technical consultations for different IT expert  
 137 associations.

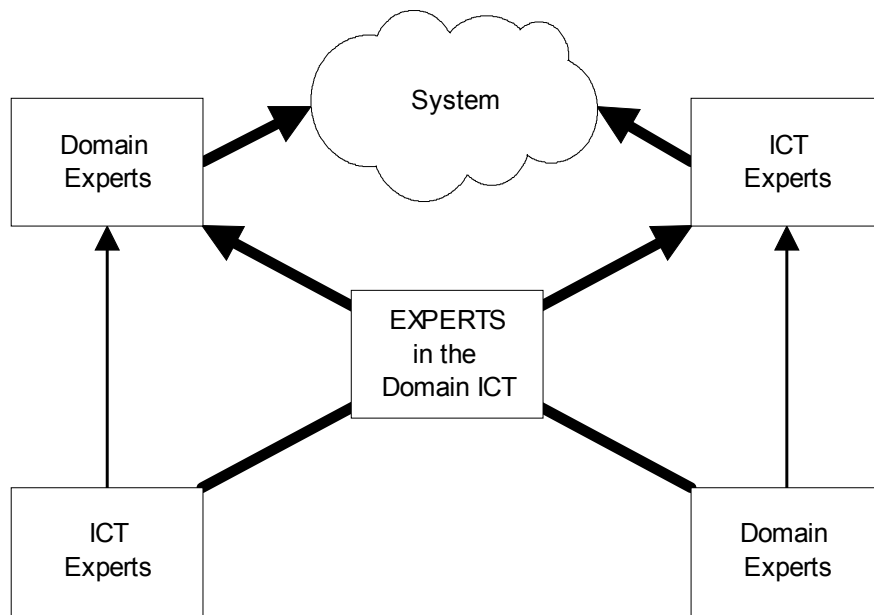
138

139 **Final remarks**

140

141 Naturally we have to note the importance of privacy in PCEHR system(s) and with different  
 142 cooperative systems.

143



144

145

146 Based on previous opinions (check Annex 1) I have presented the previous figure. Generally  
 147 speaking different ICT experts try to understand a specific domain. Generally speaking different  
 148 domain experts try to understand ICT. There can be several several mismatches between ICT  
 149 experts and domain experts.

150

151 Based on the previous proposals of PCEHR (Information Commissioner Enforcement Powers)  
 152 Guidelines 2015 could be presented to ICT experts and domain experts. There could be more  
 153 understanding between different experts when different issues are carefully and presented with  
 154 more clarity.

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## ANNEX 1

I have constructed different opinions about different issues, and on the following web page are all written (PDF files) opinions:

<http://www.jukkarannila.fi/lausunnot.html>

**I have constructed specifically opinions related to information systems – both in English and in Finnish.**

**Here is the list of opinions related to information systems.**

EN: Opinion 8: European Interoperability Framework, version 2, draft

[http://www.jukkarannila.fi/lausunnot.html#nro\\_8](http://www.jukkarannila.fi/lausunnot.html#nro_8)

EN: Opinion 9: CAMSS: Common Assessment Method for Standards and Specifications, CAMSS proposal for comments

[http://www.jukkarannila.fi/lausunnot.html#nro\\_9](http://www.jukkarannila.fi/lausunnot.html#nro_9)

EN:Opinion 13: Final Committee Draft ISO/IEC FCD3 19763-2

[http://www.jukkarannila.fi/lausunnot.html#nro\\_13](http://www.jukkarannila.fi/lausunnot.html#nro_13)

EN: Opinion 14: SFS discussion paper / SFS:n keskusteluasiakirja

[http://www.jukkarannila.fi/lausunnot.html#nro\\_14](http://www.jukkarannila.fi/lausunnot.html#nro_14)

EN: Opinion 17: Opinion to Antitrust Case No. COMP/C-3/39.530

[http://www.jukkarannila.fi/lausunnot.html#nro\\_17](http://www.jukkarannila.fi/lausunnot.html#nro_17)

EN: Opinion 18: Opinion Related to the Public Undertaking by Microsoft

[http://www.jukkarannila.fi/lausunnot.html#nro\\_18](http://www.jukkarannila.fi/lausunnot.html#nro_18)

EN: Opinion 19: Official Acknowledgement by the Commission

[http://www.jukkarannila.fi/lausunnot.html#nro\\_19](http://www.jukkarannila.fi/lausunnot.html#nro_19)

EN: Opinion 20: SECOND Opinion Related to the Public Undertaking by Microsoft

[http://www.jukkarannila.fi/lausunnot.html#nro\\_20](http://www.jukkarannila.fi/lausunnot.html#nro_20)

EN: Opinion 21: Opinion about the European Interoperability Strategy proposal

[http://www.jukkarannila.fi/lausunnot.html#nro\\_21](http://www.jukkarannila.fi/lausunnot.html#nro_21)



- 200 EN: Opinion 23: Public consultation on the review of the European Standardisation System  
201 [http://www.jukkarannila.fi/lausunnot.html#nro\\_23](http://www.jukkarannila.fi/lausunnot.html#nro_23)  
202
- 203 EN: Opinion 24: ISO/IEC JTC 1 / SC 34 / WGs 1, 4 and 5 in Helsinki 14-17 June 2010  
204 [http://www.jukkarannila.fi/lausunnot.html#nro\\_24](http://www.jukkarannila.fi/lausunnot.html#nro_24)  
205
- 206 FI: Lausunto 29: Avoimen demokratian avoimen datan avaamisen detaljit (ADADAD)  
207 [http://www.jukkarannila.fi/lausunnot.html#nro\\_29](http://www.jukkarannila.fi/lausunnot.html#nro_29)  
208
- 209 EN: Opinion 30: Internet Filtering  
210 [http://www.jukkarannila.fi/lausunnot.html#nro\\_30](http://www.jukkarannila.fi/lausunnot.html#nro_30)  
211
- 212 FI: Lausunto 31: Terveystieteiden tietotekniikasta  
213 [http://www.jukkarannila.fi/lausunnot.html#nro\\_31](http://www.jukkarannila.fi/lausunnot.html#nro_31)  
214
- 215 EN: Opinion 32: COMP/C-3/39.692/IBM - Maintenance services  
216 [http://www.jukkarannila.fi/lausunnot.html#nro\\_32](http://www.jukkarannila.fi/lausunnot.html#nro_32)  
217
- 218 FI: Lausunto 33: Julkishallinnon tietoluovutusten periaatteet ja käytännöt  
219 [http://www.jukkarannila.fi/lausunnot.html#nro\\_33](http://www.jukkarannila.fi/lausunnot.html#nro_33)  
220
- 221 EN: Opinion 34: REMIT Registration Format  
222 [http://www.jukkarannila.fi/lausunnot.html#nro\\_34](http://www.jukkarannila.fi/lausunnot.html#nro_34)  
223
- 224 EN: Opinion 37: CASE COMP/39.654 - Reuters instrument codes  
225 [http://www.jukkarannila.fi/lausunnot.html#nro\\_37](http://www.jukkarannila.fi/lausunnot.html#nro_37)  
226
- 227 FI: Lausunto 38: SADe-ohjelman avoimen lähdekoodin toimintamallin luonnos  
228 [http://www.jukkarannila.fi/lausunnot.html#nro\\_38](http://www.jukkarannila.fi/lausunnot.html#nro_38)  
229
- 230 EN: Opinion 39: Registry options to facilitate linking of emissions trading systems  
231 [http://www.jukkarannila.fi/lausunnot.html#nro\\_39](http://www.jukkarannila.fi/lausunnot.html#nro_39)  
232
- 233 EN: Opinion 41: AT.39398: observations on the proposed commitments  
234 [http://www.jukkarannila.fi/lausunnot.html#nro\\_41](http://www.jukkarannila.fi/lausunnot.html#nro_41)  
235
- 236 EN: Opinion 43: Publication of extracts of the European register of market participants  
237 [http://www.jukkarannila.fi/lausunnot.html#nro\\_43](http://www.jukkarannila.fi/lausunnot.html#nro_43)  
238
- 239 EN: Opinion 45: About ICT standardisation  
240 [http://www.jukkarannila.fi/lausunnot.html#nro\\_45](http://www.jukkarannila.fi/lausunnot.html#nro_45)  
241
- 242 EN: Opinion 46: Review of the EU copyright rules  
243 [http://www.jukkarannila.fi/lausunnot.html#nro\\_46](http://www.jukkarannila.fi/lausunnot.html#nro_46)  
244

- 245 EN: Opinion 47: Sharing or collaborating with government documents  
246 [http://www.jukkarannila.fi/lausunnot.html#nro\\_47](http://www.jukkarannila.fi/lausunnot.html#nro_47)  
247
- 248 FI: Lausunto 49: JSH 166 -suosituksen päivitys  
249 [http://www.jukkarannila.fi/lausunnot.html#nro\\_49](http://www.jukkarannila.fi/lausunnot.html#nro_49)  
250
- 251 EN: Opinion 52: Trusted Cloud Europe Survey  
252 [http://www.jukkarannila.fi/lausunnot.html#nro\\_52](http://www.jukkarannila.fi/lausunnot.html#nro_52)  
253
- 254 EN: Opinion 53: Trade Reporting User Manual (TRUM) (Draft)  
255 [http://www.jukkarannila.fi/lausunnot.html#nro\\_53](http://www.jukkarannila.fi/lausunnot.html#nro_53)  
256
- 257 EN: Opinion 54: Government Content Management System  
258 [http://www.jukkarannila.fi/lausunnot.html#nro\\_54](http://www.jukkarannila.fi/lausunnot.html#nro_54)  
259
- 260 EN: Opinion 55: European Energy Regulation  
261 [http://www.jukkarannila.fi/lausunnot.html#nro\\_55](http://www.jukkarannila.fi/lausunnot.html#nro_55)  
262
- 263 EN: Opinion 56: National Identity Proofing Guidelines  
264 [http://www.jukkarannila.fi/lausunnot.html#nro\\_56](http://www.jukkarannila.fi/lausunnot.html#nro_56)  
265
- 266 FI: Lausunto 58: Puoluekokousaloitteet / 2010 ja 2014  
267 [http://www.jukkarannila.fi/lausunnot.html#nro\\_58](http://www.jukkarannila.fi/lausunnot.html#nro_58)  
268
- 269 EN: Opinion 59: Green paper on mobile Health  
270 [http://www.jukkarannila.fi/lausunnot.html#nro\\_59](http://www.jukkarannila.fi/lausunnot.html#nro_59)  
271
- 272 EN: Opinion 60: Cross-border inheritance tax problems within the EU  
273 [http://www.jukkarannila.fi/lausunnot.html#nro\\_60](http://www.jukkarannila.fi/lausunnot.html#nro_60)  
274
- 275 EN: Opinion 61: European Register of Products Containing Nanomaterials  
276 [http://www.jukkarannila.fi/lausunnot.html#nro\\_61](http://www.jukkarannila.fi/lausunnot.html#nro_61)  
277
- 278 FI: Lausunto 65: Lausuntopyyntö nettiäänestystyöryhmän väliraportista  
279 [http://www.jukkarannila.fi/lausunnot.html#nro\\_65](http://www.jukkarannila.fi/lausunnot.html#nro_65)  
280
- 281 EN: Opinion 66: Net Innovation for the Work Programme 2016-2017  
282 [http://www.jukkarannila.fi/lausunnot.html#nro\\_66](http://www.jukkarannila.fi/lausunnot.html#nro_66)  
283
- 284 FI: Lausunto 67: Valtioneuvoston hanketiedon esiselvityksestä  
285 [http://www.jukkarannila.fi/lausunnot.html#nro\\_67](http://www.jukkarannila.fi/lausunnot.html#nro_67)  
286
- 287 EN: Opinion 68: European Network Code Stakeholder Committees  
288 [http://www.jukkarannila.fi/lausunnot.html#nro\\_68](http://www.jukkarannila.fi/lausunnot.html#nro_68)  
289

- 290 FI: Lausunto 69: Hallituksen esitys (luonnos 16.4.2015) vieraslajeista  
291 [http://www.jukkarannila.fi/lausunnot.html#nro\\_69](http://www.jukkarannila.fi/lausunnot.html#nro_69)  
292  
293 EN: Opinion 70: Providing better APIs in New Zealand  
294 [http://www.jukkarannila.fi/lausunnot.html#nro\\_70](http://www.jukkarannila.fi/lausunnot.html#nro_70)  
295  
296 EN: Opinion 71: Common Schema for the Disclosure of Inside Information  
297 [http://www.jukkarannila.fi/lausunnot.html#nro\\_71](http://www.jukkarannila.fi/lausunnot.html#nro_71)  
298  
299 EN: Opinion 72: Queensland biofuel mandate  
300 [http://www.jukkarannila.fi/lausunnot.html#nro\\_72](http://www.jukkarannila.fi/lausunnot.html#nro_72)  
301  
302 EN: Opinion 73: Financial / Conceptual Frameworks  
303 [http://www.jukkarannila.fi/lausunnot.html#nro\\_73](http://www.jukkarannila.fi/lausunnot.html#nro_73)  
304  
305 EN: Opinion 74: Enabling the Internet of Things  
306 [http://www.jukkarannila.fi/lausunnot.html#nro\\_74](http://www.jukkarannila.fi/lausunnot.html#nro_74)  
307  
308 EN: Opinion 78: Consumer Complaints Register (NSW)  
309 [http://www.jukkarannila.fi/lausunnot.html#nro\\_78](http://www.jukkarannila.fi/lausunnot.html#nro_78)  
310  
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314 I have constructed different opinions about different issues, and on the following web page  
315 are all written (PDF files) opinions:

316 <http://www.jukkarannila.fi/lausunnot.html>  
317

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319 [Continues on the next page]  
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**ANNEX 2**

323 DISCLAIMERS

324

325 Legal disclaimer:

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327 member either by law or voluntarily. This opinion paper is only intended to trigger thinking and it is not legal advice.

328 This opinion paper does not apply to any past, current or future legal entity. This opinion paper will not cover any of the  
329 future changes in this fast-developing area. Any actions made based on this opinion is solely responsibility of respective  
330 actor making those actions.

331

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335 entity making law proposals.

336

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341

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355

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357

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362 The English explanation is on the following web page:

363 <http://creativecommons.org/licenses/by-nc-nd/4.0/legalcode>

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2 Based on the Finnish three-party system there is a phenomenon called extreme-centre in Finland. The 2011 parliamentary elections in Finland challenged the three-party system, since three “old” parties were not traditionally as the three largest parties. On 2015 this “new” party is part of the current Finnish Government. We all must be interested about this new development in Finland.