

WORLD HEADQUARTERS OF JEHOVAH'S WITNESSES

25 Columbia Heights, Brooklyn, NY 11201-2483 • Tel. 718 560-5000

GAO:AT January 3, 2002 No. 223S

Via CompuServe

Branch Committee
AUSTRALIA

Dear Brothers:

Your letter dated LLA August 28, 2001, has been given consideration. You provided information concerning a new law that was recently enacted entitled the "Privacy Amendment (Private Sector) Act 2000." As you may know, our brothers in Europe have had to adjust the way they handle information since laws have been passed there that govern the way personal information is handled by organizations. As a result, the Service Committee has provided these branches with some general guidelines that we feel would be applicable to your situation. Therefore, we are setting out herein information that we feel will be helpful to you.

There may be some exceptions. If your branch feels there is an exception that needs to be made for you to comply with the law in your country, please feel free to write the Service Committee of the Governing Body and express what adjustment you feel is necessary for your branch and the reasons why this is necessary. Otherwise, we feel that you should follow the policy outlined herein.

FORMS AND APPLICATIONS

Since it seems clear that in most of the branches in the affected area, we can process personal data only if consent is given by the person(s) involved, then we should only maintain that data for which we have consent. This would mean that the signature be obtained of each person who is or becomes a publisher, to indicate consent is given to our keeping these records. Adjust the **Congregation's Publisher Record Card (5-21)** to include a statement that states the publisher consents to our keeping field service records. There should be a **place for signature** on the Congregation Publisher's Record Card (S-21). Nothing of an objectionable, confidential nature should be kept in the remarks column. You should mark "DO NOT DESTROY" on the original card that has this signature. This signed Congregation Publisher's Record Card (S-21) should be kept permanently in the Congregation's Publisher Record card file. If this is done, it would not be necessary for publishers to sign their cards each time a new one is issued every two years. There will be no need to keep a Congregation's Publisher's Record Card (S-21) for unbaptized minors whose parents are not Jehovah's Witnesses.

We will continue to use the **Bible Study Report (S-3)** to keep record of meeting attendance. However, it will not be necessary to have publishers fill out this form for their Bible Study(ies). The use of the **House-to-House Record (S-8)** must be discontinued. Publishers who find people of interest who desire them to return can make note of this in a personal notebook.

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When the names of interested persons speaking a foreign language should be passed on to a foreign language congregation in the area, branches use the **Foreign Language Follow-Up Slip (S-70a)**. If the person to be called upon welcomes a visit from a publisher who speaks their language, obtain their consent. **A statement to this effect can be added to the Foreign Language Follow-Up Slip (S-70a). Have a place for them to sign.** If the Foreign Language Follow-Up Slip (S-70a) cannot be used in your branch, appropriate information could possibly be passed on to congregations needing such by means of a personal note or even a telephone communication.

In the future we will continue to use **Subscription form M(d) 1 and M(d) 101**. However, we need to include a **line for the subscriber to sign as written consent**. It is best not to use the gift subscription arrangement unless the one receiving the subscription signs the Subscription form M(d) 1 or M(d) 101.

It would seem that all **applications for Bethel, Gilead, Ministerial Training School, traveling overseers**, etc. are already being signed and so should satisfy the Supervisory Authority's requirement of consent. We can add a statement to these applications that gives us consent to process personal data on all who have to fill out applications for schools or some form of special service. This will enable us to acquire and keep Personal Qualification's Reports (S-326) and evaluation reports on traveling overseers, Special pioneers, Gilead students, Ministerial Training School students, etc. If this is not adequate for any branch in the European Union, please let the Service Committee know along with your recommendations for maintaining personal data needed for the branch in connection with such applicants. Information on their activity as well as personal data needs to be filed.

DISCIPLINARY MATTERS

Apparently certain personal data kept by congregations or the branch must be accessible to the person(s) involved. Since detailed information of a confidential nature should not be kept in congregation or branch files, use of the regular **Disfellowshipped Person's Form (S-77)** may be discontinued. The details of judicial committee cases reported to the Branch can be reported in a typewritten letter. After the Branch has reviewed it, such correspondence may be discarded. There is no need for the congregation judicial committee to keep a copy of this letter. The **Disfellowshipped Person's Forms (S-79a/b)**, can still be used but needs to be modified. These forms may contain: Person's name; date of action; service position (if any); Scriptural text, related to reason for judicial action.

If you are not allowed to keep **records accumulated in the past**, discard the current Disfellowshipped Persons Forms (S-77) and (S-79a/b) that do not comply with the law. Adjustments can be made as outlined in this letter to have your files conform with the law on processing personal data.

We will send electronic copies of the above-mentioned forms to you.

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Letters Of Introduction sent when publishers and appointed brothers move may be viewed as ‘minister to minister communications. Third parties are not involved, so it does not appear that these violate the spirit of this law. However, after a secretary receives such letters, and the body of elders becomes familiar with the content, such letters do not need to be kept. The same can be said for letters that the branch sends when a Bethel Family Member is dismissed. After such letters are read, there is no need to keep them on file.

OTHER MATTERS OF CONCERN

Those working on the **Hospital Information Desk (HID)** or on a **Hospital Liaison Committee (HLC)** should only keep on file data for doctors who have given consent. Likewise if data must be kept on medical matters involving some publishers as reference, we should have written consent to file that information and we should not share that data unless we have the written consent of the publisher(s) involved.

If there is a need to have a **Director Processing Personal Data**, you can officially appoint someone on the Branch Committee or someone in the Service Department. If there is a need for each department at the branch that deals with personal data to have someone appointed as an assistant to the Director Processing Personal Data, this can be arranged by the Branch Committee. If it is also necessary to appoint someone in the local congregation, it would be good to appoint the congregation secretary. If the body of elders feels it would be best for another elder to serve, they should send his name to the branch and the reason for not using the secretary.

Your branch should make sure that **all confidential files kept are kept in a secure place** that is locked. Only those who are authorized should have access to confidential files, whether these are hard copy or electronic. If confidential files have served their purpose, they need not be kept any longer.

We hope these observations and guidelines will be helpful to your branches and will enable us to carry out our commission to preach the good news as a clean Organization who exerts itself to please Jehovah and to give to Caesar what is due Caesar.—Matt 22:17; 24:14; 28:19.

Please be assured of our warm Christian love and best wishes.

Your brothers,

Service Committee