



### Katten Privacy, Data and Cybersecurity Newsletter

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#### New Serious Invasion of Privacy Tort in Australia for Privacy Comes Into Effect

*By Trisha Sircar*

In late 2024, the Australian Government enacted a series of reforms to the [Privacy Act 1988 \(Cth\)](#). The new statutory tort for serious invasion of privacy was introduced and passed under the [Privacy and Other Legislation Amendment Act 2024](#) (the Act). The catalyst for the Act was in response to increasing public concern over the misuse of personal information in an increasingly digital era, and it is the most significant development in protecting the personal information of Australians. On June 10, the statutory tort for serious invasion of privacy took effect. [Read more about the range of measures outlined under the Act to protect individuals' privacy.](#)



#### UK Data Use and Access Act Now in Force

*By Trisha Sircar*

On June 19, the [UK Data Use and Access Bill](#) (DUA Bill) finally received Royal Assent and passed into law as the Data Use and Access Act 2025 (DUA Act). The DUA Act amends the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018, and the Privacy and Electronic Communication (EC Directive) Regulations 2003 (PECR). The DUA Act introduces a new data protection standard for international data transfers from the United Kingdom to other countries. [Read more about the DUA Act's new legal basis for data processing, exemptions related to cookies and other provisions.](#)

#### SCOTUS Says District Courts Are Not Bound by FCC Orders Interpreting the TCPA

*By Ted Huffman*

On June 20, the US Supreme Court delivered an opinion that could dramatically change the landscape of class actions under the Telephone Consumer Protection Act (TCPA). In the case — *McLaughlin Chiropractic Associates, Inc. v. McKesson Corporation* — the Court held that the



Hobbs Act does not bind district courts in civil enforcement proceedings to accept an agency's interpretation of statutes such as the TCPA. The Court emphasized that district courts "instead must determine the meaning of the law under ordinary principles of statutory interpretation, affording appropriate respect to the agency's interpretation." More directly, the Federal Communications Commission's (FCC) word is not the last in determining the TCPA's definitional and liability standards. [Read more about the case and how it calls into question decades of FCC orders.](#)

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## CONTACTS

For questions about developments in the [Privacy, Data and Cybersecurity](#) industry, please contact the following Katten attorney:



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