

# THE HUMAN RIGHTS REVIEW TRIBUNAL



## Appeal against access direction

(under the Privacy Act 2020)

Office use only: **HRRT No**

### When to use this form

Use this form to file an appeal against an access direction under section 105 of the Privacy Act 2020.

### Completing this form

- The term 'Respondent' means the other parties to the investigation by the Privacy Commissioner.
- Print clearly in CAPITALS. Use a black or blue pen when completing this form.
- Please file four physical copies of this appeal either by post or by handing them in to the Secretary of the Tribunal at the address shown at the end of this form. If you are filing an appeal against two or more respondents, you must add an extra copy for each additional respondent. For example: 1 respondent = 1 original + 3 copies; 2 respondents = 1 original + 4 copies; and so on.
- Answer every question on the form unless the instructions tell you otherwise.

### Before you continue

Please tick to confirm the following:

The Privacy Commissioner has issued an access direction against the agency.

This appeal is lodged within 20 working days from the date of the notice given to the parties under section 91(7) of the Privacy Act 2020.

If this appeal is lodged outside the appeal period but it is lodged not later than 3 months after the appeal period and there are exceptional circumstances preventing the appeal being lodged within the appeal period.

## Step 1. Appellant/person appealing (please provide your details)

Name

First

Middle

Surname

Phone/mobile number

Preferred contact option for this appeal. Please choose one and give the details.

Email

Postal address

Email address

**Postal address**

\_\_\_\_\_

Street

\_\_\_\_\_

Suburb City

\_\_\_\_\_

State (if outside NZ) Post code

\_\_\_\_\_

Country

**Do you require an interpreter during the hearing?**

Yes. No.  
 In what language? \_\_\_\_\_

**Do you have a representative (a lawyer or an authorised person acting on your behalf)?**

Yes. No. Then proceed to Step 2

If yes, please fill in the details below.

Tick the relevant box:

My representative is my lawyer.

My representative is a non-lawyer and I give my authorisation for this person (named below) to act on my behalf against the respondent.

\_\_\_\_\_  
Name and signature (appellant)

\_\_\_\_\_  
Date

**Name of lawyer or authorised representative** \_\_\_\_\_

**Name of company (if applicable)** \_\_\_\_\_

**Phone/mobile number** \_\_\_\_\_

**Email address** \_\_\_\_\_

**Postal address**

\_\_\_\_\_

Street

\_\_\_\_\_

Suburb City

\_\_\_\_\_

State (if outside NZ) Post code

\_\_\_\_\_

Country

I agree to accept all notices and other communications relating to this application on behalf of the appellant.

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Representative's signature

Date

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## Step 2. First respondent (please provide the details of the other party/parties to the investigation by the Privacy Commissioner)

**Name**

First

Middle

Surname

**Phone/mobile number**

**Email address**

**Postal address**

Street

Suburb

City

State (if outside NZ)

Post code

Country

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## Second respondent (if applicable)

**Name**

First

Middle

Surname

**Phone/mobile number**

**Email address**

**Postal address**

Street

Suburb

City

State (if outside NZ)

Post code

Country

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## Step 3. Facts of the case (tell us why you are filing this appeal)

Date you received the notice of access direction from the Privacy Commissioner under section 91(7) of the Privacy Act 2020 \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ (day/month/year)

Method of notice: email/ personal delivery/document exchange/post

Please attach a copy of the access direction issued by the Privacy Commissioner.

**Has the Privacy Commissioner amended or cancelled the access direction?**

1. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Have you complied with the access direction in part?**

1. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Are you appealing all/part of the access direction?**

1. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Set out the facts giving rise to your appeal.

1. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If you need additional space, please attach a separate sheet of paper.

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## Step 4. What order(s) do you want the Tribunal to make?

With reference to section 108 of the Privacy Act 2020, state the particular orders that you want the Tribunal to make.

With reference to section 107 of the Privacy Act 2020, state also whether you want the Tribunal to make an interim order suspending the access direction pending appeal. Specify the grounds of your application.

1. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Name and signature (appellant)

\_\_\_\_\_  
Date

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## Step 5. Do a quick check

### Before sending in this form – check:

You have answered every question

You have signed and dated this form



You have attached the access direction and notice under section 91(7) of the Privacy Act 2020



You have attached four physical copies of this appeal (as per the instruction at the beginning of this form)

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## Step 6. Send in this form

Please hand in the completed form and an additional copy to the Secretary at the address below or post to:

**The Secretary  
The Human Rights Review Tribunal  
Tribunals Unit  
Ministry of Justice  
SX 11159, Wellington  
Level 1, 86 Customhouse Quay, Wellington 6011**

If you need more help filling in this form, please call (04) 462 6660 or email [hrrt@justice.govt.nz](mailto:hrrt@justice.govt.nz)

or visit [www.justice.govt.nz/hrr](http://www.justice.govt.nz/hrr)