

10 October 2022

Section (9)(2)(a)

Our ref: OIA 99219

Tēnā koe **Section**

Official Information Act 1982 request: Privacy Act 2020: Prioritising countries for overseas disclosures

Thank you for your email of 10 September 2022, requesting under the Official Information Act 1982 (the Act), information on countries prioritised for assessment by Office of the Privacy Commission (OPC) under section 214 of the Privacy Act (2020). Your request is as follows:

- *Can you please provide me with the names of countries prioritised for assessment by OPC as potential specified countries under s 214 of the Privacy Act 2020, as well as any information evidencing the basis for such prioritisation.*
- *I have set out a response to a previous related OIA request I made for context. As set out below, the Ministry told me in April 2021 this information did not (yet) exist. As 17 months have now elapsed, I am writing to see if the situation has changed. As always, happy to clarify if anything is unclear at all.*

I can advise that the Ministry of Justice has not, as of yet, completed the process of prioritising the countries to be assessed by the OPC, but will do so as soon as is practicable. This is due to competing demands and allocation of resources to other necessary work, particularly the recent consultation on whether to broaden the Privacy Act's requirements for an individual to be notified when an agency collects their personal information indirectly through a third party. I am therefore refusing this part of your request under section 18(e) of the Act as the information requested does not exist.

If you are not satisfied with this response, you have the right to make a complaint to the Ombudsman under section 28(3) of the Act. The Ombudsman may be contacted by phone on 0800 802 602 or by email to info@ombudsman.parliament.nz

Nāku noa, nā



Kathy Brightwell
General Manager, Civil & Constitutional