

Possible changes to notification rules under the Privacy Act 2020

Summary of engagement

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MINISTRY OF
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Tabu o te Ture

New Zealand Government

Contents

Introduction	2
The engagement process	3
Feedback summary	5
Feedback on questions.....	6
List of submitters	11
Engagement Document: Possible changes to notification rules under the Privacy Act 2020	13

Introduction

This report describes the Ministry of Justice's engagement process for seeking views on possible changes to notification rules under the Privacy Act 2020.

Transparency regarding the collection, use, and disclosure of personal information is fundamental in protecting individuals' privacy rights and their dignity and autonomy. Transparency enables individuals to:

- make informed privacy choices;
- hold agencies to account for their privacy practices; and
- exercise their privacy rights under the Privacy Act 2020 (the Privacy Act).

Under the Privacy Act, agencies are generally required to notify individuals when the agency is collecting their personal information ("direct collection of personal information"). This helps promote transparency.

The Ministry of Justice administers the Privacy Act. It is considering how to broaden notification requirements so they would also apply when agencies collect personal information indirectly via a third party, rather than directly from the individual concerned ("indirect collection of personal information").

To promote and strengthen transparency, we have identified several potential changes to the current notification requirements under the Privacy Act to address the issue of indirect collection of personal information.

These changes would ensure New Zealand keeps up to date with privacy laws and best practices in overseas jurisdictions. They would also support international trade, and in particular the cross-border flow of personal information as a basis for digital trade.

The engagement process

The process

Public engagement was conducted between 24 August and 30 September 2022. The purpose of engagement was to identify risks, opportunities, and options for addressing the notification gap in the Act. We produced an engagement document which provided background information (including the gap identified), outlined potential solutions, and identified seven high-level questions for feedback. A copy of the engagement is included at the bottom of this document. The engagement document was posted on Ministry of Justice website.

We directly emailed some people and organisations with a potential interest or expertise in privacy law, inviting them to submit. These included Government agencies, privacy lawyers and academics, Māori groups with an interest in privacy, and businesses with potential experience in international data transfers. We invited written submissions and met with several organisations that contacted the Ministry for further information.

What we asked

We sought feedback on seven questions:

1. What factors do you think are most important when considering changes to indirect collection of personal information?
2. What are the advantages or benefits of broadening the notification requirements, for both individuals and agencies? What might the disadvantages be?
3. What form do you think the proposed changes to notification rules under the Privacy Act should take? Please elaborate on your preferred option and explain why you think the other options are not appropriate.
4. If you are a New Zealand business, are there any practical implementation issues you can identify in complying with the proposed changes?
5. Are there any other risks or mitigations to the proposed changes you can identify that are not mentioned in this document?
6. Should the proposed changes only apply to personal information collected indirectly from individuals *overseas*, or should they also apply to personal information collected indirectly from individuals in *New Zealand*?
7. Is there any other feedback you would like to provide on these proposed changes? If so, please provide this feedback.

Written submissions

We received 53 written submissions: 12 from public agencies; seven from private sector representative bodies; 21 businesses; four privacy lawyers/legal organisations; four academics/privacy experts; two NGOs; one university and two individuals.

Feedback summary

Support for making a legislative amendment was mixed:

- 24 submitters were positive about the change citing its benefits for improving transparency and enhancing consumer rights whilst calling for careful consideration of the exemptions
- 12 submitters had concerns about introducing a new obligation with most citing concerns about compliance costs and notification fatigue.
- 14 submitters were from real estate industry and echoed the concerns of REINZ that the change would impact on the collection of unconditional sales data.
- Three submitters were neutral about the proposals or asked further questions.

A few of the submissions opposing a change noted that their opposition was conditional on NZ maintaining EU adequacy.

Of the options suggested in the discussion document, most submitters were in favour of making a change to IPP 3. The main reason for supporting a change to IPP 3 was that it expands the current notification requirement rather than introducing another notification requirement elsewhere in the Privacy Act. However, submitters supporting an IPP 3 amendment were not consistent on whether they thought such an amendment should place the notification requirement on the agency that has collected information directly from the individual or the agency collecting personal information from a third party.

Many submitters agreed with the potential risks outlined in the engagement document of compliance burden and notification fatigue. A few submitters also discussed risks associated with collecting excess information such as contact details just to comply with notification requirement, and the notification requirement creating a barrier to sharing personal information (particularly with Māori service providers). Submitters concentrated on a number of exceptions that could mitigate these risks (e.g., creating an exception where an individual has already been notified). Several submitters also discussed the standard for notification e.g., whether the requirement to notify could be subject to notification being reasonable in the circumstances.

Submitters overwhelmingly did not favour different rules for personal information originating from overseas.

Feedback on questions

Question 1 – what factors do you think are most important when considering changes to indirect collection of personal information?

50 of the submitters responded to this question and suggested a range of factors should be considered:

- 32 submitters raised the importance of any change being practical to apply, the need to include common-sense exemptions and not impose undue administrative burdens on the agencies complying
- 16 submitters thought changes needed to be consistent with, or factor in, existing privacy processes to minimise disruption and promote accessibility
- 11 submitters thought changes should improve transparency for individuals over the collection of their personal information
- 11 submitters suggested clarity was needed about the problem that needed addressing, pointing, for example, to the existing restrictions on collecting personal information under IPP 2 and disclosing it under IPP 11
- Eight submitters thought changes should be consistent with other international regimes – for example the GDPR and the OECD Guidelines
- Four submitters thought changes should consider the impact on the individual – particularly with respect to risks such as notification fatigue (although this was raised as a risk by many others in later questions)
- Two submitters thought changes should take into account Māori data sovereignty

Question 2 – What are the advantages or benefits of broadening the notification requirements, for both individuals and agencies? What might the disadvantages be?

48 of the submitters responded to this question or referred to advantages and/or disadvantages in their response.

31 submitters thought that broadening the notification requirement would have benefits (even if some of them did not support the proposal overall):

- 28 submitters thought it would improve transparency for individuals as to which agencies were collecting their personal information, enabling them to exercise their privacy rights more effectively

- 13 submitters thought it would improve the consistency of New Zealand's privacy laws with international regimes, particularly the GDPR, with the benefits to ensuring EU adequacy that this would bring
- 12 submitters thought it would increase the accountability of agencies indirectly collecting personal information, reduce misuse of data and/or promote public trust

44 submitters thought that broadening the notification requirement would have disadvantages (even if some of them supported the proposal overall):

- 35 submitters were concerned about the compliance costs involved in a notification obligation
- 18 submitters were concerned about the individuals concerned suffering from notification fatigue due to receiving too many collection notices
- 14 submitters were concerned about the practicality of the obligation, and the potential need to collect additional personal information (i.e. contact details) in order to comply
- 20 submitters had concerns specific to their sector – in particular the real estate and credit reporting industries and certain government agencies (further analysis below).

Sector-specific concerns

Real estate sector

- The 14 submitters from the real estate industry, including REINZ, raised concerns about the impact on the collection of unconditional sales data it collects indirectly via REINZ members. This data contains the address, sale price and date of agreement, is stored securely and is made publicly available after six weeks. The data is used for a current market appraisal tool, an automated valuation model and a statistics platform and also inputs into the House Price Index built with the Reserve Bank of New Zealand.

Credit reporting sector

- The two submitters from the credit-reporting industry raised concerns on the impact of a notification requirement on the efficiency of creating credit reports, particularly given the operation of the OPC's Credit Reporting Code; Equifax, pointed to prevalent indirect collection of personal information in the credit reporting industry. Notably, individuals must have authorised the sharing of their information, and specific notification requirements apply to credit reporters under the Credit Reporting Code.

Government personal information-collection

Four government agencies had specific concerns about the impact of the notification obligation on the work of their agencies:

- Police raised concerns about the impact of the notification requirements on their collection of personal information from third parties, which currently occurs through AISAs, approved information-matching programmes, the collection of law enforcement and identity information and Memoranda of Understandings with other agencies.

- ACC indicated its concerns about the impact of notification requirements on information-sharing through AISAs and Memoranda of Understandings (MoUs). It also commented that an obligation that required individual notifications to members of a shared data set ranging into the hundreds of thousands would be an impracticable.
- Te Whatu Ora asked whether third parties accessing personal information via the new health information system would be required to notify the individuals concerned, or whether they would need to collect additional personal information to comply with the notification requirement.
- Oranga Tamariki were concerned the obligation could impact on safety and impede its ability to carry out its legislative functions. It particularly raised concerns about situations where individuals such as tamariki and rangatahi provide information about third parties with an expectation of confidentiality. The notification obligation may frustrate the purpose of collection but also put tamariki, rangatahi, their whānau, or others in danger, and discourage tamariki and/or rangatahi from speaking openly with Oranga Tamariki in future.

Question 3 – what form do you think the proposed changes to notification rules under the Privacy Act should take?

A range of views were expressed as to the form a new notification obligation should take with the majority of submitters, who expressed a preference, favouring an amendment to IPP 3:

- 23 submitters did not specify an option or made general comments about form
- 18 submitters favoured making the change via IPP 3 – this was generally due to the ease with which existing notification obligations for direct collection could be extended to indirect collection obligations. Submitters also felt that many of the IPP 3 exemptions should apply.
- Seven submitters favoured a new privacy principle
- Four submitters favoured amending IPP 11
- Two submitters favour amending IPP 2

Question 4 - if you are a New Zealand business or agency, are there any practical implementation issues you can identify in complying with the proposed changes?

29 submitters answered this question, which should be considered alongside the answers given to question 2 above.

- 13 submitters raised compliance costs
- Nine were concerned about the clarity of when the obligation was activated (particular what 'collecting' means), the responsibility for the notification and the need to avoid duplicate notifications

- Seven were concerned about the practicality of complying with the obligation – particularly where contact details were not known
- Sector-specific concerns were raised, as detailed above.

Question 5 – are there any other risks or mitigations to the proposed changes you can identify that are not mentioned in this document?

28 submitters responded to this question with many referring back to issues raised under earlier questions. Additional risks raised were as follows:

- More onerous data sharing in both the private and public sectors, particularly if notifications are necessary for every disclosure and
- A tendency for collecting agencies to take short cuts – for example trying to notify through terms and conditions

Mitigations proposed to respond to these, and the other risks raised in earlier questions were as follows:

- The application of existing exemptions under IPP 2, 3 or 11 of the Privacy Act, such as when:
 - information is collected for law enforcement purposes,
 - when notification could harm an individual,
 - information is collected for statistical or research purposes,
 - when information is collected from publicly available sources¹, or
 - when compliance with a notification requirement would prejudice the purposes of the collection.
- The use of guidance setting out practical advice on when the notification obligation applies
- Notification not being necessary where information sharing is controlled by an information sharing agreement ('AISA') or set out in other legislation other than the Privacy Act. One privacy lawyer suggested to additionally carve out certain spheres of public agency activity. Another

¹ Most submitters who expressed a view on this issue thought that the notification obligation should not apply to the indirect collection of personal information that is publicly available. An academic, thought such information should indeed be subject to an indirect notification requirement. Private sector agencies such as Spark, Marketing Association, Equifax, Centrix Group, NZBA and several real estate submitters supported an exemption. The Privacy Foundation noted there is a logical case for excluding this type of information due to the significant compliance cost associated with notifying individuals any time information is accessed from publicly accessible records, such as Land Information New Zealand or the Companies Office. It also noted the role of other legislation, such as the Unsolicited Electronic Messages Act 2007, in protecting personal information from use in a commercial context.

submitter suggested the OPC could be given the power to make exemptions to the notification requirement for organisations on a case-by-case basis.

- Reasonable steps being required for compliance – thus ensuring disproportionate resources are not used to comply when it is unreasonable. This is the standard already applicable to notification for indirect collection under IPP 3 and the Australian Privacy Act 1988.² Such a test could consider the practicality of sending a notification under certain circumstances and the sensitivity of the personal information collected. In some cases, a generic notification to individuals of the categories of agencies receiving their personal information may suffice.
- A long lead-in time would be important to work out which parts of their business operations would be affected by the change.

Question 6 – should the proposed changes only apply to personal information collected indirectly from individuals overseas, or should they also apply to personal information collected indirectly from individuals in New Zealand?

31 submitters responded to this question. Only three submitters supported extending the notification requirement only to personal information collected indirectly from overseas. The remaining submitters thought any changes should apply to all individuals as this would be simpler for agencies to implement and would confer any privacy benefits on New Zealand as well as overseas individuals.

Question 7 – is there any other feedback you would like to provide on these proposed changes? If so, please provide this feedback.

21 submitters responded to this question. In terms of new issues raised, several public agencies would have liked a longer consultation period to get feedback more widely across the business. Some academic and legal professionals commented on strengthening the IPPs in other places.

² Australia is currently considering raising this standard to necessitate notification for indirect collection unless it is *impossible or would involve a disproportionate effort*. If adopted, this change would align with Article 14 of the GDPR. See '[Privacy Act Review: Discussion Paper](#)' Australian Government: Attorney General's Department, pp.10-11.

List of submitters

Public agency regulators / ombudsmen	
Office of the Privacy Commissioner	Office of the Ombudsman
Public agency privacy teams	
ACC	Waka Kotahi NZ Transport Agency
Ministry of Business Innovation and Employment	Inland Revenue
Ministry of Justice	Ministry of Education
New Zealand Customs Service	Ministry of Social Development
Oranga Tamariki	Te Whatu Ora Health New Zealand
Private sector representative bodies	
Financial Services Federation	Insurance Council of New Zealand
Marketing Association	New Zealand Bankers Association
NZ Realtors Network	Real Estate Institute of New Zealand
Restaurant Association of New Zealand	
Businesses	
Amazon Web Services	Bank of New Zealand
BDO NZ	Centrix Group
Chorus	Crockers Realty
Data Insight	Equifax
Harcourts Group Ltd	Harveys Real Estate Warkworth
Monarch Real Estate Ltd	Property Brokers Ltd (Mosgiel office)
Property Brokers Ltd (National office)	Ray White Real Estate
Ray White Real Estate Swanson	Ray White Real Estate Greerton
Reliable Real Estate Ltd	Southby's International Realty
Spark	Unity Credit Union

Up Real Estate	
Privacy lawyers/legal organisations	
Auckland District Law Society	Dentons Kensington Swan
Paul Davies Law Ltd	Richard Best Law
Academics/privacy experts	
Dr Andrew Chen, University of Auckland	Professor Paul Roth, University of Otago
Rebecca Bonnevie	Blair Stewart, former assistant Privacy Commissioner
NGOs	
Atamira – Platform	Privacy Foundation New Zealand
Other	
University of Canterbury (PrivacyTeam)	2 individuals

Possible changes to notification rules under the Privacy Act

Introduction

Transparency regarding the collection, use, and disclosure of personal information is fundamental in protecting individuals' privacy rights and their dignity and autonomy. Transparency enables individuals to:

- make informed privacy choices;
- hold agencies to account for their privacy practices; and
- exercise their privacy rights under the Privacy Act 2020 (the Privacy Act).

Under the Privacy Act, agencies are generally required to notify individuals when the agency is collecting their personal information ("**direct collection of personal information**"). This helps promote transparency.

The Ministry of Justice administers the Privacy Act. It is considering how to broaden notification requirements so they would also apply when agencies collect personal information indirectly via a third party, rather than directly from the individual concerned ("**indirect collection of personal information**").

To promote and strengthen transparency, we have identified several potential changes to the current notification requirements under the Privacy Act to address the issue of indirect collection of personal information.

These changes would ensure New Zealand keeps up to date with privacy laws and best practices in overseas jurisdictions. They would also support international trade, and in particular the cross-border flow of personal information as a basis for digital trade.

We are seeking feedback on the form and scope any changes should take. For example, should changes apply only to agencies indirectly collecting personal information of individuals based overseas, or extend to the collection of personal information of individuals in New Zealand as well?

We are keen to hear from agencies involved in the indirect collection of personal information, whether domestically or overseas, as well as from individuals whose personal information may be indirectly collected.

• We want your feedback

We are seeking your feedback on seven questions:

1. What factors do you think are most important when considering changes to indirect collection of personal information?
2. What are the advantages or benefits of broadening the notification requirements, for both individuals and agencies? What might the disadvantages be?
3. What form do you think the proposed changes to notification rules under the Privacy Act should take? Please elaborate on your preferred option and explain why you think the other options are not appropriate.
4. If you are a New Zealand business, are there any practical implementation issues you can identify in complying with the proposed changes?
5. Are there any other risks or mitigations to the proposed changes you can identify that are not mentioned in this document?
6. Should the proposed changes only apply to personal information collected indirectly from individuals *overseas*, or should they also apply to personal information collected indirectly from individuals in *New Zealand*?
7. Is there any other feedback you would like to provide on these proposed changes? If so, please provide this feedback.

Your views are important; please get in touch. Email your feedback to privacyfeedback@justice.govt.nz or post it to: Electoral and Constitutional, Ministry of Justice, PO Box 180, Wellington 6140. For us to consider your feedback, we need to receive it by **5pm Friday 30 September 2022**.

Te Tāhū o te Ture – the Ministry of Justice is leading the project because it administers the Privacy Act 2020. This is the Act that sets the principles for handling of personal information in New Zealand.

Background information

What are the current requirements for notification under the Privacy Act 2020?

Information Privacy Principle (IPP) 2 provides that when an agency collects personal information it must generally do so *directly* from the individual to whom that information relates ('the individual concerned'), unless certain exceptions apply.

These exceptions include when the information is publicly available, for law enforcement purposes, or when it is not reasonably practicable in the circumstances to collect the personal information directly from the individual.

Information Privacy Principle 3 provides that when an agency collects personal information *directly* from the individual, the agency must take reasonable steps to ensure the individual is aware of key matters immediately before the information is collected, or as soon as possible afterwards ('notification requirement'). This includes matters such as:

- the fact that the information is being collected;
- the purposes for collection; and
- whether supplying personal information is voluntary or required by law.

This notification might take the form of a statement on a paper document provided to the individual or stated on a website the individual can view.

As with IPP 2, exceptions to IPP 3 mean that agencies do not need to notify individuals of the collection of their personal information in certain cases, for example where an agency reasonably believes that non-compliance would not prejudice the interests of the individual concerned.

Information Privacy Principle 11 allows an agency to *disclose* personal information it holds, under specific conditions. Some disclosures involve the individual concerned being *informed* of the disclosure (such as when the individual authorised it) but others do not. For example, if the agency believes on reasonable grounds the disclosure is directly related to the purposes for which the information was originally obtained, it may disclose the information without informing the individual concerned

You can find out more about these IPPs on the Privacy Commissioner's website: www.privacy.org.nz/privacy-act-2020/privacy-principles

What is the concern with indirect collection of information?

The interplay between IPP 2 and IPP 3 means that, in some circumstances, when certain exceptions to IPP 2 or IPP 3 apply, personal information will not be collected directly from the individual concerned under IPP2, and so there will be no notification requirement under IPP 3.

For example, when an individual provides personal information via the website of a New Zealand agency, the terms and conditions of the website might indicate that the individual authorises the collection and sharing of their information when agreeing to use the website under such terms and conditions

That website may then share the individual's personal information with an advertising agency for advertising purposes. The advertising agency may not be required to notify the individual under IPP 3 because it did not collect the personal information directly, but rather received it from the website.

In such a scenario, the individual may not be aware their personal information was indirectly collected by the advertising agency. This means they may be unable to exercise their full privacy rights (such as the right to request access to their personal information)

This could create a gap in the current notification regime, meaning the Privacy Act's protections are less effective where personal information is not collected directly from the individual concerned.

What are the notification requirements in other jurisdictions?

Many jurisdictions are considering or have already introduced broader notification requirements for indirect collection of personal information.

A significant example of this is the General Data Protection Regulation ('GDPR'), the key privacy law of the European Union ('EU'). The GDPR requires that an individual be informed of the processing of their personal information regardless of whether it is collected directly or indirectly, and in a clear and accessible form. This notification requirement is seen as a key protection for EU individuals when their personal information is shared.

Australia's Privacy Act 1988 Privacy Principle 5 provides generally for notification, regardless of the manner of collection.

The United Kingdom Data Protection Act 2018 sets out a general notification obligation applicable to

agencies collecting personal information, including collecting it indirectly (see Section 44(3)).

Both Japan and South Korea have recently introduced additional safeguards surrounding the notification rules for organisations indirectly collecting personal information of EU individuals.

Why are changes being considered to New Zealand's notification requirements?

The Government is considering **broadening the notification requirements** for agencies that collect personal information indirectly.³

Technologies and business models relating to the collection of personal information have dramatically evolved in the last decade, resulting in a proliferation of indirect collection of personal information.

Broader notification requirements would support greater transparency, by helping individuals know what is happening with their personal information. This would give individuals more control of how their personal information is collected, used and shared by agencies, particularly online, which would also promote trust and safety.

Broadening the notification requirement to indirect collection of personal information would align the Privacy Act with international norms. This is important for ensuring New Zealand's rules are in step with major trading partners, and could help facilitate cross-border trade. Many New Zealand agencies operating overseas may already have to comply with notification requirements in those jurisdictions.

Question 1 – what factors do you think are most important when considering changes to indirect collection of personal information?

Question 2 – What are the advantages or benefits of broadening the notification requirements, for both individuals and agencies? What might the disadvantages be?

What changes are being considered?

The Ministry is exploring several ways in which a broader notification requirement could be introduced to the Privacy Act, including:

1. an **amendment to IPP 3** to introduce a notification requirement for all agencies covered by the Act. IPP 3 would be broadened so that it no longer applies only when an agency collects personal information directly from the individual concerned. It would apply when the agency collects the personal information indirectly from other sources.
2. an **amendment to one of the other IPPs**, for example, an amendment to IPP 2 to narrow exceptions that allow agencies not to collect information directly from the individual concerned (i.e. that allow agencies to collect the information indirectly); or an amendment to IPP 11 to require a disclosing agency to notify the individual concerned that their information has been disclosed to a third party (regardless of whether or not the disclosure itself is allowed).
3. **introducing a new separate privacy principle** dealing with notification of indirect collection.

We have explored enhancing notification requirements through voluntary guidance, or by providing for a code of practice to be made by the Privacy Commissioner under the Privacy Act. However, voluntary guidance would not support individuals to exercise their rights under the Privacy Act as robustly as a legally binding requirement. A code would be more limited in scope and might apply only to specific types of personal information, agencies or activities, or to a particular sector.

Question 3 - what form do you think the proposed changes to notification rules under the Privacy Act should take?

Please elaborate on your preferred option and explain why you think the other options are not appropriate.

³ Proactive release – Privacy. Released by the Ministry of Justice on 28 June 2022, available at www.justice.govt.nz

What are some potential risks and mitigations associated with the proposed changes?

We have identified some potential areas of risk or challenge from broadening the notification requirements to include indirect collection.⁴

The first is **notification fatigue**. If individuals receive too many notifications about collection of their personal information, they may simply ignore it or 'tune out'. Instead of feeling that they better understand what is happening with their information, some individuals could feel overwhelmed and confused.

The second risk is the **compliance costs** associated with a new requirement to notify individuals of indirect collection. Businesses and other organisations may need to create new policies and processes to ensure they comply. There could also be practical difficulties in notifying an individual with whom an organisation does not have a direct relationship.

Larger businesses or agencies operating extensively in overseas markets are more likely to be collecting the personal information of New Zealand and overseas individuals already. They may be accustomed to complying with the broader notification requirements in those overseas jurisdictions. In comparison, smaller businesses operating exclusively within New Zealand may need extra resources to comply with a broader requirement.

We are interested in receiving feedback on these risks, and hearing about any other risks from the proposed changes.

We are particularly interested in hearing about possible compliance costs arising due to an indirect notification requirement on smaller New Zealand agencies and businesses operating exclusively domestically.

We are also interested in feedback on potential ways to mitigate risk, such as:

- limiting the circumstances in which notification must be provided, so, for example, an agency might only be required to take 'any steps that are, in the circumstances, reasonable' to notify individuals about the collection of information;
- providing an exception to an indirect notification requirement when the individual concerned already has the information that the

organisation is required to provide under the Privacy Act;

- confining broader notification requirements to personal information collected indirectly from individuals overseas. This would mean businesses operating exclusively domestically should not face any further compliance costs.

Question 4 – if you are a New Zealand business or agency, are there any practical implementation issues you can identify in complying with the proposed changes?

Question 5 – are there any other risks or mitigations to the proposed changes you can identify that are not mentioned in this document?

Question 6 – should the proposed changes only apply to personal information collected indirectly from individuals overseas, or should they also apply to personal information collected indirectly from individuals in New Zealand?

Question 7 – is there any other feedback you would like to provide on these proposed changes? If so, please provide this feedback.

What happens to your feedback?

We'll use your feedback to help advise the Government on how notification requirements under the Privacy Act should be changed.

We intend to release a summary of the feedback received, along with a copy of it, once the Government has considered our advice and made decisions. Your responses will be anonymised, and no names of individuals will be identified. If you do not want us to release any information in your feedback, please state this clearly when you send it to us and explain why.

We may need to release your information under the Official Information Act 1982

We may also release your feedback after an Official Information Act 1982 (OIA) request. We can withhold personal details under the OIA, including your name and address.

⁴The Law Commission also considered these risks in its 2011 review of the Privacy Act 1993.

If you do not want us to release any information in your feedback, please state this clearly when you send it to us and explain why. For example, some information may be commercially sensitive or personal. We'll take your views into account when we respond to OIA requests.

Any personal information you supply when making your feedback will be used by us only in relation to the matters covered in this document.

Privacy - you can access and correct your personal information

The Privacy Act 2020 governs how we collect and use your personal information. You have the right to access and correct your personal information.

You can read the Ministry's privacy policy [here](#).

8. Your views are important; please get in touch. Email your feedback to privacyfeedback@justice.govt.nz or post it to: Electoral and Constitutional, Ministry of Justice, PO Box 180, Wellington 6140.
9. For us to consider your feedback, we need to receive it by **5pm Friday 30 September 2022**.

Te Tāhū o te Ture – the Ministry of Justice is leading the project because it administers the Privacy Act 2020. This is the Act that sets the principles for handling of personal information in New Zealand.

Ministry of Justice
Tāhū o te Ture

justice.govt.nz

info@justice.govt.nz

0800 COURTS
0800 268 787

National Office
Justice Centre | 19 Aitken St
DX SX10088 | Wellington | New Zealand



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