

Privacy (Giving Privacy Commissioner Necessary Tools) Amendment Bill

30 May 2013

Attorney-General

Legal Advice

Consistency with the New Zealand Bill of Rights Act 1990: Privacy (Giving Privacy Commissioner Necessary Tools) Amendment Bill

1. We have considered whether the Privacy (Giving Privacy Commissioner Necessary Tools) Amendment Bill ('the Bill') is consistent with the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990 ('the Bill of Rights Act'). The Bill is a Member's Bill in the name of Sue Moroney. The Bill was introduced into the House of Representatives on 16 May 2013 and is awaiting its first reading. We understand that the next Members' Day is scheduled for Wednesday 5 June 2013.

2. The Bill amends the Privacy Act 1993, and aims to ensure that the Privacy Commissioner has sufficient investigative and enforcement powers to enable them to function effectively. To meet this aim, the Bill provides the Privacy Commissioner with a new audit function, and empowers them to issue compliance notices where agencies are found to be in breach of the Privacy Act.

3. We have concluded that the Bill appears to be consistent with the rights and freedoms affirmed in the Bill of Rights Act.

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