



Data Privacy Day 2022

Statement from the Privacy Foundation New Zealand

28 January 2022

The Chair of the Privacy Foundation New Zealand, Associate Professor Gehan Gunasekara, released the following statement to mark international data privacy day:

“In these uncertain times it has become difficult to predict what challenges await us next week much less for the rest of the year.

“One certainty for 2022 will be that Covid-19 will pose new challenges that will require care by the government, community and business – indeed all of us - to navigate safely. We expect there will be dilemmas faced by government – one example being the need to exchange vaccine certificate data with other countries. The Foundation will urge continued commitment to the information privacy principles which generally work well to uphold public trust while maintaining efficiency in protecting public health. We look back with some satisfaction to the use of Privacy Impact Assessment in the design, and upgrading, of the Covid tracer app which has helped maintain a privacy respectful solution in an area that could have become quite problematic.

“Recent court cases have also brought into prominence the matter of Māori Data Sovereignty. The relationship between this concept and the Health Act was explored in the High Court decision given in December of [Te Pou Matakana Ltd v Attorney-General \[2021\] NZHC 3319](#), which also concerned the interpretation of the Health Information Privacy Code issued under the Privacy Act. The Foundation recently adopted a [statement](#) expressing its commitment to Te Tiriti O Waitangi (Treaty of Waitangi) and we firmly believe Māori Data Sovereignty to be Aotearoa New Zealand’s unique contribution to global data privacy.”

The New Zealand Privacy Foundation advocates for the protection of the privacy rights of New Zealanders by providing independent, expert and fair public comment on privacy.

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