

Statement from the Privacy Foundation New Zealand

12 October 2021

## **COVID - 19 Vaccination Certificates in Aotearoa New Zealand**

The Privacy Foundation New Zealand welcomes the clarification from Prime Minister Jacinda Ardern last Tuesday that vaccination certificates are to be introduced by the Government from November.<sup>1</sup> While the Foundation in general supports the use of the certificates, it urges the Government to undertake a comprehensive impact assessment, that includes a privacy assessment, before their roll-out. That is essential to maintain public confidence and mitigate harms from the use and potential misuse of the certificates.

“It is extremely disappointing that this timeframe has not allowed for wide consultation across all sectors of society prior to their use” says Foundation Chair, Gehan Gunasekara.

“It is vital the social and human rights impacts are considered and mitigated. For example, biometrics are not used for identification; groups not eligible for publicly funded health care – including temporary migrants and residents, and international students - are covered; the certificates are not being linked to immigration status; they are not linked to contact tracing data; and they are kept safe from fraudulent and harmful access and misuse.”

The Government has indicated there will be a framework indicating where the use of certificates will be mandated, recommended, and not permitted, such as essential health services and supermarkets. Those rules need to be clear and applied through legislation to the venues and activities to which they relate. They should also stipulate that organisations requiring the individuals to present the certificates, where it is mandatory or recommended, cannot be liable to any civil or criminal proceeding. It is also important the legal framework protects those who are unable to be vaccinated by providing exemptions and protection from discrimination.

“It is essential that all people have quick and easy access to their COVID-19 vaccination certificates” says Gehan Gunasekara. “The Ministry of Health’s web app, My COVID Record will not be accessible to everyone. We have noted that other Covid-19 measures have not worked well for Māori, Pasifika and other vulnerable communities. It is therefore important certificates be easily accessible in digital and non-digital format.”

The Foundation’s Health Care and Policy Working Group has issued a detailed commentary on issues surrounding certificates, including principles in relation to their issue and use. It can be accessed

---

<sup>1</sup> NZ COVID-19 Media Briefing 5<sup>th</sup> October on vaccination records (5 October 2021); <https://covid19.govt.nz/alert-levels-and-updates/latest-updates/covid-19-media-conference-5-october-2021/>

here: <https://www.privacyfoundation.nz/wp-content/uploads/2021/10/COVID-19-Vaccination-Certificates-in-Aotearoa-New-Zealand-1.pdf>.

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.

**Media Contact: Gehan Gunasekara phone 021 0743419; or email: [g.gunasekara@auckland.ac.nz](mailto:g.gunasekara@auckland.ac.nz)**

\*End\*