

## **MEDIA RELEASE BY THE PRIVACY FOUNDATION 15/3/19**

### **SELECT COMMITTEE REPORT WELCOME BUT URGENT WORK STILL NEEDED TO PROTECT NEW ZEALANDERS PRIVACY**

The Privacy Foundation warmly welcomes the Justice Select Committee's report on the Privacy Bill (published on 13 March 2019).

Marie Shroff, Chair of the Privacy Foundation, says "The Bill makes good progress towards modernising the Act for the digital era and providing greater protection for people's privacy. The Foundation agrees with many of the changes that the Committee has made and are delighted that some of the important suggestions in our submission have been picked up."

Deputy Chair Gehan Gunasekara said, "We especially welcome the Select Committee's changes which:

- improve protection for information sent overseas
- make everyone doing business in New Zealand comply with our privacy laws regardless of where in the world they are located
- make sure the vulnerability of children and young people is respected when organisations collect information about them
- simplify access and correction rights for our own personal information
- prohibit collection of identifying details about people, unless an organisation has a genuine purpose to identify them."

The Foundation is still reviewing the new version of the Bill, and will comment in more detail in due course. The implications of some changes – such as the removal of the public register privacy principles – require careful thought.

We also note that the Select Committee has decided not to introduce any major new areas of protection at this time, despite being urged to do so by many submitters including the Foundation. Ms Shroff says, “New privacy protections aligned with new General Data Protection Regulation (GDPR) rules are important to New Zealand business’ ability to trade internationally, as well as for individual people’s rights.” GDPR related changes recommended by submitters would make New Zealand IT businesses more attractive to overseas partners and avoid disruptions in the export of our digital services.

“The Foundation strongly recommends the Government conduct urgent policy work on further changes that would bring New Zealand’s privacy legislation up to speed internationally. We encourage the government to maintain the momentum to continuously review and consult on international privacy and digital developments as they occur and to add updates to the legislation quickly.”

Areas where we believe further work is required include:

- a higher level of fines for serious and deliberate misuse of people’s information
- making agencies actively show how they are complying with the law
- looking at dangers with the automated algorithms that are now used to make decisions about us
- Data portability (eg from your old insurance company to a new one)
- protecting people from being re-identified from supposedly anonymised data sets

We are particularly pleased that the committee has reported unanimously on the content of the Bill, says Ms Shroff . “This continues the multi-partisan support privacy law has received in the past. We expect that Parliament will now move swiftly to consider and pass it into law.”

The Report can be found at:

[https://www.parliament.nz/resource/en-NZ/SCR\\_85172/cf492b3e12e7bcbb2b5ddf9fd9a5c287a5c79e2c](https://www.parliament.nz/resource/en-NZ/SCR_85172/cf492b3e12e7bcbb2b5ddf9fd9a5c287a5c79e2c)

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