

24 June 2019

Mr Alex Harris

By email: fyi-request-10471-2c1cbcad@requests.fyi.org.nz

Dear Mr Harris

Official Information Request re Privacy Commissioner's use of examination powers

Thank you for the following request for information received via fyi.org.nz website on 6 June 2019:

- “ - *How many times in the last five years did the Commissioner exercise their powers under section 91(1) to examine people under oath?*
- *How many times in the last five years did the Commissioner exercise their powers under section 91(4) to obtain information or documents?*”

I would like a breakdown by year if available. In the unlikely event that a five year period would require substantial collation and research, I am willing to negotiate a shorter one.

The number of times the section 91(1) power has been exercised in the past five years (completed financial years from 1 July to 30 June) to examine people under oath are:

- 2017/2018 - 1
- 2016/2017 - 1
- 2015/2016 - 0
- 2014/2015 - 0
- 2013/2014 - 0

The approximate number of times the section 91 (4) has been exercised in the past five years (completed financial years from 1 July to 30 June) are:

- 2017/2018: 458
- 2016/2017: 502
- 2015/2016: 609
- 2014/2015: 517
- 2013/2014: 528

Approximate numbers are provided as separate records are not made of the exercise of the section 91(4) powers. The numbers provided represent the total number of investigations and inquiries in each year, as in nearly all cases when conducting investigations under Part 8 of the Privacy Act or carrying our inquiries under s 13(1)(m) the power under section 91(4) to obtain information or documents will be exercised.

Yours sincerely



Jane Foster
General Counsel

