



18 October 2013

Liam Keneddy

By email to: [fyi-request-1178-cf619e0a@requests.fyi.org.nz](mailto:fyi-request-1178-cf619e0a@requests.fyi.org.nz)

Dear Sir

### OFFICIAL INFORMATION ACT 1982 REQUEST – COMPANY RECORDS

I refer to your request via the [fyi.org.nz](http://fyi.org.nz) website for information regarding the availability of information from the companies register.

The companies register is a public register maintained in accordance with the Companies Act 1993 (“the Act”). There are specific sections in the Act, for example sections 360 and 363, that set out the obligations of the Registrar of Companies in maintaining the register including making available to members of the public copies of registered documents.

To the extent possible, as a public register, the register is maintained in accordance with the Public Register Privacy Principles of the Privacy Act 1993. These principles are set out in section 59 of the Privacy Act. You may view the Privacy Act at [www.legislation.govt.nz](http://www.legislation.govt.nz).

Contact numbers and email addresses included in documents that are registered on the companies register cannot be searched, and are not made publically available on the company summary pages of the register. However, the contact numbers and email addresses of some persons submitting director and/or shareholder consents may be viewable on the consent forms.

This is because every person submitting director or shareholder consent forms for registration is required to enter their contact details on the forms (refer forms 2 and 3 in Schedule 1 of the Companies Act 1993 Regulations 1994). The Companies Office practice has been to populate this contact information into the consent forms from the account that the presenter had created with the Companies Office in order to submit documents to the Registrar. We note that prior to the register being electronic, presenters details were available to any person searching documents on a company’s paper file.

In a review earlier this year of information available on the register, it was decided to remove any phone numbers and email addresses that were being populated into consent forms and as of several months ago these details no longer appear on consent forms. It is not possible for the Registrar to remove this information from consent forms that were previously submitted.

The Companies Office has a number of Government to Business (G2B) clients who have entered into an agreement with the Companies Office to be able to have direct access into the companies register to obtain public information. G2B clients have agreed that they will not use information they obtain from the Companies Office for direct marketing purposes. They are also required to comply with the Privacy Principles of the Privacy Act. Failure to comply may result in the

cancellation of their G2B access. In addition, if a third party makes a request for bulk public information from the companies register, the information is provided on the basis that it will not be used for direct marketing purposes.

Despite these measures as the register is a public register and can be accessed by anyone, the Registrar cannot control or enforce what use someone may make of the information they obtain from the register.

You should note that it is possible to perform a search of the register for companies incorporated on a particular date or during the particular time period. This functionality can be found in the "advanced search" facility of the register.

Yours faithfully

Mandy McDonald  
Registrar of Companies