

20 January 2022

Annie Weston

By email: fyi-request-18021-24959d54@requests.fyi.org.nz

Dear Annie

Official Information Act Request: Informed Consent #36 - PCR Data

On 21 December 2021 you sent a request for information under the Official Information Act 1982 to ESR as follows:

“What do you do with the genetic material you collect from each person for PCR test purposes.

Is the information kept or destroyed?

If it's destroyed then how long after you receive the genetic material?

If it's kept then where is it kept?

And who has access to it?

Do you use it for any other purposes than screening for Covid-19?

Who is responsible for safeguarding this process?”

Our response to your request:

What do you do with the genetic material you collect from each person for PCR test purposes.

ESR extracts Ribonucleic acid (RNA) and only detects for what is specifically requested in the PCR test. RNA samples get destroyed after three years and are kept at -80°C.

Is the information kept or destroyed?

Only patient data in the Laboratory Information Management System (LIMS) is kept indefinitely. RNA samples are destroyed.

If it's destroyed then how long after you receive the genetic material?

The RNA samples are destroyed three years after testing.

If it's kept then where is it kept?

The RNA samples are kept in an -80°C freezer in the laboratory areas, which are access controlled.

And who has access to it?

ESR's laboratory areas are controlled by authorised key card access control systems that only provides access to authorised ESR staff.

Do you use it for any other purposes than screening for Covid-19?

ESR may sometimes use positive samples for method validation, as permitted under the Human Tissue Act 2008 section 20 (f)¹ where no consent is required.

Who is responsible for safeguarding this process?

ESR's Technical Leads are responsible to authorise the use of positive samples and ESR's Scientists are responsible for the destruction of the samples.

Your right to seek a review

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Thank you for your request.

Yours sincerely



Jill Vintiner

**Joint General Manager Health and Environment - Health
ESR**

¹ [Human Tissue Act 2008 No 28 \(as at 28 October 2021\), Public Act 20 Informed consent not required for collection or use for specified purposes – New Zealand Legislation](#)