



19 August 2025

Mr M Thompson and Mr E Strafford
fyi-request-31232-77d976f0@requests.fyi.org.nz

Official information request

Our ref: R001037

Tēnā kōrua

Thank you for your Official Information Act 1982 (OIA) request received by the Ministry for Regulation (Ministry) on 6 June 2025. On 3 July 2025, we notified you of the extension to make our decision to 15 August 2025.

We have itemised your request for ease of reference. You requested:

“Please provide policy documents and discussions involving Ministry of Regulation officials relating to the use of AI in processing of submissions on the Regulatory Standards Bill. If third party providers such as Public Voice, or other third party providers were used please provide communication between the Ministry and those third party providers as related to the use of AI and in particular, any discussions or policy documents relating to the following issues:

- 1. Was the data processed in any country other than NZ?*
- 2. What privacy guarantees were made regarding the use of models to process this data?*
- 3. Was the ministry assured that the AI model provider would not be able to train and improve their models using the data uploaded, and if so how much confidence did the ministry have in these assurances?*
- 4. Was the provider or providers required to delete any data uploaded after processing?*
- 5. Was the data redacted for privacy before it was uploaded to any AI models?*
- 6. If so, who did the redaction work, what instructions were they given and what types of data was redacted?*
- 7. If not, what representations did the third party providers or AI model providers make in regards to data redactions, if any?*
- 8. What consideration, if any, was made regarding use of indigenous data and data provided Māori?*
- 9. Was any of the data provided to the model written in te reo Māori and if so, what consideration was taken for safeguarding the use of that data and preventing it being used to train language models?*
- 10. Finally, could you please provide any privacy impact assessments that were done in relation to this work.”*

Response

I have responded to each of your questions in turn.

1. Was the data processed in any country other than NZ?

Data processing occurred both within and outside of New Zealand. Please also refer to the response to **item 2**.

2. What privacy guarantees were made regarding the use of models to process this data?

The Ministry worked with PublicVoice to ensure the privacy and security of all submissions. Privacy implications and risks were considered appropriately and the Ministry sought and received assurances regarding the handling of personal information, including:

- Confirmation that all information would be kept confidential, in line with PublicVoice's privacy policy and in line with legal requirements under the Privacy Act 2020.
- Confirmation that data would not be used to train Artificial Intelligence (AI) models and assurance that all data would be destroyed upon project completion.
- Zero data retention policies were in place, and SSL/TLS 1.3 encryption was used for data transmission.
- Data would be processed in New Zealand, the European Union or the United States, and only three New Zealand-based staff would have access to the information.
- Outputs would be human-reviewed, and a multi-step validation process would be used to mitigate risks such as hallucination.

3. Was the ministry assured that the AI model provider would not be able to train and improve their models using the data uploaded, and if so how much confidence did the ministry have in these assurances?

Yes, the Ministry received and accepted the assurances on this matter. Please refer to the response to **item 2**.

4. Was the provider or providers required to delete any data uploaded after processing?

Yes, the tools used to analyse the submissions did not retain personal information or submission content as the information was destroyed upon project completion. Please refer to the response to **item 2**.

5. Was the data redacted for privacy before it was uploaded to any AI models?

Personal information included in the submissions were analysed by AI technology as part of the analysis of all submissions. The tools used did not retain personal information or submission content as the information was destroyed upon project completion.

Submitter identification data was analysed as part of data handling and cleaning processes for the following purposes:

- Classification of each submission by submitter type (individual, iwi/hapū, or organisation)
- Determination of stance (oppose, support, partially support, or unclear)
- De-duplication and flagging of identical or near-identical submissions
- Determination whether submissions contained an Official Information Act request
- Identifying the language and whether a submission needed translation

- Assessment whether submissions pertained to matters unrelated to the proposed Regulatory Standards Bill.

6. If so, who did the redaction work, what instructions were they given and what types of data was redacted?

Refer to the response to **item 5**.

7. If not, what representations did the third party providers or AI model providers make in regards to data redactions, if any?

There were no commitments specifically with regard to data redactions. However, contractual obligations on PublicVoice included the following privacy requirements:

- To comply with the Ministry's Privacy policies and guidelines
- To comply with the Privacy Act (and other laws)
- To access the information only to the extent necessary to provide the services
- To not disclose the information to any third party
- To keep the information secure
- To return or destroy confidential information after expiry or termination of the agreement.

Beyond the above, the Ministry specifically tested and received reassurances on further potential privacy impacts, including:

- No information would be used to train the AI model
- Information would be destroyed after expiry or termination
- The number of people with access to the information would be limited (3), and in New Zealand
- Measures to take to mitigate risk of AI error/hallucination
- The information will be kept confidential, for both privacy and general confidentiality purposes.

8. What consideration, if any, was made regarding use of indigenous data and data provided Māori?

We understand your question to be seeking clarification on how the Ministry managed data and information from submissions provided by Māori. These submissions were handled with care and integrity, consistent with the approach taken for all submissions. The Ministry maintained a record of submissions received in te reo Māori, which were subsequently translated to ensure accessibility and understanding. To support this, PublicVoice was asked to run a script to identify any additional submissions requiring translation. The translation work was undertaken by the Department of Internal Affairs.

9. Was any of the data provided to the model written in te reo Māori and if so, what consideration was taken for safeguarding the use of that data and preventing it being used to train language models?

Refer to the response to **items 2, 5, 7 and 8**.

The Ministry was assured that any data provided was subject to the data handling and cleaning processes referenced in **item 5**, and we were advised by PublicVoice that data would not be

retained/used for training AI models as per **item 7**. Please also refer to the privacy assurances in **item 2** and the treatment of submissions in te reo Māori in **item 8**.

10. Please provide any privacy impact assessments that were done in relation to this work.

While the Ministry does not hold a 'Privacy Impact Assessment' document in the form of a standalone report, privacy implications were considered appropriately and the Ministry sought and received assurances from PublicVoice regarding the handling of personal information as part of its due diligence as explained in the response to **item 2**.

Documents

You requested policy documents, discussions and communications involving Ministry officials and PublicVoice relating to the use of AI in processing submissions on the discussion document.

On 29 January 2025, Ministry officials discussed the potential use of AI during a weekly meeting with the Minister. At the meeting, we advised we were exploring engaging with PublicVoice and the application of AI tools for the analysis of submissions. The Minister was supportive of this.

We provided briefing papers to the Minister for Regulation, which reference working with PublicVoice and the use of AI in the analysis of submissions. Copies of these briefings are publicly available on the *Publications and resources* page of the Ministry's website, I therefore refuse the publicly available parts of your request under section 18(d) of the OIA as the documents you have requested, itemised below, are publicly available.

- MFR2025-026: Regulatory Standards Bill Initial findings from public consultation¹, dated 21 February 2025
- MFR2025-027: Regulatory Standards Bill Summary of Submissions², dated 19 March 2025
- Information Release - Summary of Submissions for proposed Regulatory Standards Bill³, dated May 2025.

Some information in the aforementioned material has been redacted consistent with the provisions for withholding information under the OIA. Where this is the case, the relevant sections of the OIA that would apply have been identified and where information was withheld, no public interest considerations were identified that would outweigh the reasons for withholding the information.

I have considered the grounds under which information has been redacted in the proactively released documents which you have requested, and I consider they continue to apply in the same ways under this request. I therefore withhold the same parts of these documents, under the same grounds as listed in the published versions.

¹ <https://www.regulation.govt.nz/about-us/our-publications/mfr2025-026-regulatory-standards-bill-initial-findings-from-public-consultation/>

² <https://www.regulation.govt.nz/about-us/our-publications/mfr2025-027-regulatory-standards-bill-final-summary-of-submissions/>

³ <https://www.regulation.govt.nz/about-us/our-publications/information-release-summary-of-submissions-for-proposed-regulatory-standards-bill/>

Communications involving Ministry officials and PublicVoice, which are in scope of your request are attached as **Appendix A**. Some information has been withheld under the following sections of the OIA:

- 9(2)(a) to protect the privacy of natural persons
- 9(2)(g)(i) to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty
- 9(2)(h) to maintain legal professional privilege.

As required by section 9(1) of the OIA, I have considered whether the grounds for withholding the information requested is outweighed by the public interest. In this instance I do not consider that to be the case.

Additional information

Attached as **Appendix B** is a copy of the Ministry's Artificial Intelligence (AI) policy, which sets out how AI may be used within the Ministry. This policy explicitly stipulates that Ministry staff may use AI tools to analyse and summarise Ministry information, including submissions data. While the material is not strictly within the scope of your request — as the policy was confirmed and came into effect on 29 April 2025 — we have decided to provide this to you for your reference.

Right of review

If you wish to discuss this decision with us, please contact hello@regulation.govt.nz.

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.

Please note that we may publish this response (with your details removed) on the Ministry for Regulation website.

Ngā mihi



Aisling Risdon

Head of Ministerial Services
Ministry for Regulation