

From: [Rebecca Styles](#)
To: [Jared Nicoll](#)
Subject: RE: Media enquiry re smart meters
Date: Friday, 6 May 2022 10:17:53 am
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Thanks, Jared, I appreciate your time.

Have a good weekend.

Cheers, Rebecca

From: Jared Nicoll <@..>
Sent: Friday, 6 May 2022 10:15 AM
To: Rebecca Styles <@..>
Subject: Media enquiry re smart meters

Mōrena Rebecca

Thanks for your patience. Please find answers to your questions below.

- Can you tell me whether the Privacy Commission has received any complaints about electricity smart meter data during 2020, 2021, and to date this year? What was the outcome of the complaints?

Yes. We investigated one complaint on this topic in 2021 however the details are confidential.

We've also had several general enquiries about smart meters, for example, a power company checking how the Privacy Act may apply to them.

- Can electricity smart meter data be shared outside of New Zealand?

Yes, but where the data is personal information, the transferor will need to comply with the Privacy Act.

While some electricity smart meter data may be unidentifiable in its raw form – just a bunch of numbers perhaps – it could become someone's personal information once the power usage data can be associated with an account holder. For example, for a single person living alone the data could be used to indicate when they are home or not.

[Principle 10](#) of the Privacy Act sets out how an agency can use this personal information. Generally, they should only be using information for the purpose it was collected, unless one of the listed exceptions applies. For example, it would not raise any concerns if the information used was in a form in which the individual could not be identified.

[Principle 12](#) of the Privacy Act sets rules around sending personal information to organisations or people outside New Zealand.

A business or organisation may only disclose personal information to another organisation outside New Zealand if they check that the receiving organisation:

- *is subject to the Privacy Act because they do business in New Zealand*
- *will adequately protect the information, e.g. by using [model contract clauses](#), or*
- *is subject to privacy laws that provide comparable safeguards to the Privacy Act*

If none of the above criteria apply, a business or organisation may only make a cross-border disclosure with the permission of the person concerned. The person must be expressly informed that their information may not be given the same protection as provided by the New Zealand Privacy Act.



[Further information on privacy and smart meters if available here on our website.](#)

Noho ora mai
Jared

Jared Nicoll
Communications Adviser | Kaitohutohu Whakapāpātanga

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From: Jared Nicoll
Sent: Thursday, 5 May 2022 4:51 pm
To: Rebecca Styles <rebeccas@consumer.org.nz>
Subject: RE: Media enquiry re smart meters

Kia ora Rebecca



Apologies for the delay – I got your message below, and we will come back to you tomorrow.

Jared

Jared Nicoll
Communications Adviser | Kaitohutohu Whakapāpātanga

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From: Rebecca Styles <rebeccas@consumer.org.nz>
Sent: Thursday, 5 May 2022 10:20 am
To: Jared Nicoll <Jared.Nicoll@privacy.org.nz>
Subject: RE: Media enquiry re smart meters

Morena Jared

Thanks for looking into this for me.

Generally, I'm trying to get to the bottom of what Vector and AWS (Amazon Web Services) are doing with smart meter data.

And also, whether smart meter data can be shared with third parties, and if so, who? Can it go overseas, and if so, what's being done with it? The electricity retailers privacy policies are pretty general in terms of who they're sharing data with.

In terms of complaints the Commission may have received, I just want to see whether consumers are concerned about the use of data.

Hope that helps.

Cheers, Rebecca

From: Jared Nicoll <Jared.Nicoll@privacy.org.nz>
Sent: Thursday, 5 May 2022 10:11 AM
To: Rebecca Styles <rebeccas@consumer.org.nz>

Subject: Media enquiry re smart meters

Kia ora Rebecca

I'm just finalising answers in time for your deadline, but I just wanted to check if there is a specific situation involving smart meter data being used overseas that you're looking into.



I've got a good general answer almost ready but we might be able to make it more specific if we knew of a particular example you're looking at?

Noho ora mai
Jared

Jared Nicoll
Communications Adviser | Kaitohutohu Whakapāpātanga

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From: Jared Nicoll
Sent: Tuesday, 3 May 2022 3:34 pm
To: 'Rebecca Styles' <[@..](mailto:rebecca.styles@xxxxxxx.xxx.xx)>
Subject: Media enquiry re smart meters

Kia ora Rebecca



Thanks for getting in touch. I'll find out and get back to you.

Noho ora mai
Jared

Jared Nicoll
Communications Adviser | Kaitohutohu Whakapāpātanga

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From: Rebecca Styles <[@..](mailto:rebecca.styles@xxxxxxx.xxx.xx)>
Sent: Tuesday, 3 May 2022 2:56 pm
To: Media <[@..](mailto:media@xxxxxxx.xxx.xx)>
Subject: Media enquiry

Kia ora

I'm Rebecca, a writer at Consumer.

Can you please help with a few questions about electricity smart meters?

Can you tell me whether the Privacy Commission has received any complaints about electricity smart meter data during 2020, 2021, and to date this year? What was the outcome of the complaints?

Can electricity smart meter data be shared outside of New Zealand?

If possible, it would be great to hear back by midday Thursday. Let me know if this is unrealistic.

Many thanks, Rebecca

Rebecca Styles

Investigative Writer



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