



20 November 2012

Alex Harris

fyi-request-625-d59b37ac@requests.fyi.org.nz

Dear Alex

Request made under the Official Information Act 1982

Thank you for your email of 25 October 2012 requesting the following under the Official Information Act 1982:

1. 'A list of all persons, companies, agencies, organisations or other bodies who have been granted such an authorisation for bulk access to the vehicle register
2. The process by which such an authorisation is applied for
3. The criteria considered when granting or refusing to grant such an authorisation.'

To provide background to your request, historically the Motor Vehicle Register (MVR) was a public register and the NZ Transport Agency (NZTA) was obliged to release the name and address of a registered person whenever these details were applied for. This meant that there was no visibility as to why details were being released and how they were being used. This concerned the NZTA and many members of the public. Subsequently, on 1 May 2011, the Land Transport Act 1998 (LTA) was amended to significantly restrict access to registered person details.

In response to your first request The LTA now permits the release of registered person details where it is required for one of the purposes of the MVR:

- enforcement of the law,
- maintenance of the security of New Zealand, and
- collection of charges imposed or authorised by an enactment and the administration and development of transport law and policy.

The LTA also allows the release of registered person details where the applicant has obtained special authorisation from the NZTA. The following link provides a full list of those approved by the NZTA (under section 241 of the LTA) as listed by the Department of Internal Affairs Gazette:

[http://www.dia.govt.nz/MSOS118/On-Line/NZGazette.nsf/vSearchView?SearchView&Query=\(motor+vehicle+register\)&Start=1&Count=100&SearchFuzzy=TRUE](http://www.dia.govt.nz/MSOS118/On-Line/NZGazette.nsf/vSearchView?SearchView&Query=(motor+vehicle+register)&Start=1&Count=100&SearchFuzzy=TRUE)

In response to your second request before making a decision on such an application, the NZTA is obliged to first consult the Ombudsman, the Privacy Commissioner and the Commissioner of Police. More information about this process can be found online at:

<http://nzta.govt.nz/vehicle/registration-licensing/information-authorised.html>

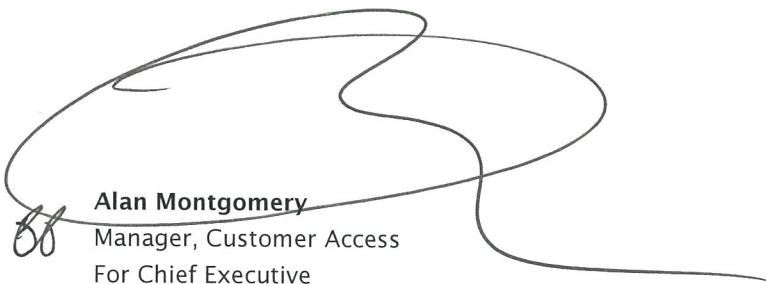
Please note that any individual can choose to have their personal details 'opted out' from being released. By opting out, it is an instruction to the NZTA that you do not wish your information to be disclosed to a person who has been granted an authorisation without first having your privacy interest considered. Therefore, an organisation holding special authorisation from the NZTA cannot obtain the details of a person who has opted out from having their details made available under such an authorisation.

In response to your third request, the NZTA's streamlined application process for organisations that have been granted an authorisation that make a high number of applications are only for limited criteria such as enforcement, credit and insurance risks, and to recover unpaid parking fees. Rather than requiring these organisations to repeatedly make individual applications for the same reasons, the NZTA has considered these reasons up front and determined that in every situation the public interest would outweigh the individual's privacy rights. This means when the authorised party applies for the details of an opted out individual for one of the pre-considered reasons, they will receive the information.

Please refer to attachment 1 for a list of those who have been approved for the streamline application process mentioned above.

Thank you again for writing, If you would like to discuss this reply with the NZTA, please contact Ellena Crafar, Customer Access, by email to info@nzta.govt.nz or by phone on 0800 108 809.

Yours sincerely



Alan Montgomery
Manager, Customer Access
For Chief Executive