

15 February 2013

Mr David Burgess
fyi-request-746-7affc283@requests.fyi.org.nz

Dear Mr Burgess

Official Information Act 1982 Request

Thank you for your email of 1 February 2013 seeking, under the Official Information Act 1982 (the Act), information about release of personal information to third parties:

1. *Has ACC ever released personal information to any agency like a private investigator, credit agency, etc?*
2. *If information has been released, who has the information been released to?*
3. *What personal information has been disclosed?*
4. *On how many occasions has this occurred?*

Response to question 1: Yes. However, there must be very good reasons to release information about a client or associate to a third party. The Privacy Act 1993 (the Privacy Act) places significant limits on ACC's ability to disclose information.

Response to question 2: Information is released in accordance with the Privacy Act, for example to private investigators, debt collection agencies, or other Government agencies with the statutory authority to act upon the information, when required for one or more of these purposes:

- to avoid prejudice to the maintenance of the law by any public sector agency, including the prevention, detection, investigation, prosecution, and punishment of offences
- to enforce a law imposing a pecuniary penalty
- to protect public revenue
- for the conduct of proceedings before any court or tribunal, ie proceedings that have commenced or are reasonably in contemplation
- to prevent or lessen a serious and imminent threat to public health or public safety, or to the life or health of the individual concerned or another individual.

ACC considers its need to release information on a case-by-case basis, and is guided by Principles 10 and 11 of the Privacy Act, in particular. For example, when ACC is pursuing debt, it may release information to a debt collection agency under principle 11(a) of the Privacy Act, on the basis that this is directly related to ACC's purpose for holding the information.

Response to question 3: Your request is declined because the information cannot be made available without substantial collation or research into individual claims and levy payer accounts. To answer the question would require searching an enormous volume of material. This decision complies with section 18(f) of the Act.

Response to question 4: Your request is declined because, as for question 3, the information cannot be made available without substantial collation or research into individual claims and levy payer accounts. This decision complies with section 18(f) of the Act.

Please contact me on **gaylia.powell@acc.co.nz** if you would like to talk about this letter. I will be happy to answer any questions or, if you have any concerns, work with you to resolve these.

If you are still not happy, you may make a complaint to the Office of the Ombudsmen. You can call them on 0800 802 602, 9am to 5pm weekdays, or write to:

The Office of the Ombudsmen
P O Box 10 152
WELLINGTON 6143.

Yours sincerely



Gaylia Powell
Senior Advisor, Government Services