

House of Representatives

# Supplementary Order Paper

Wednesday, 5 July 2017

Enhancing Identity Verification and Border Processes Legislation  
Bill

*Proposed amendments*

Hon Amy Adams, in Committee, to move the following amendments:

*New clause 5A*

After *clause 5* (page 5, after line 27), insert:

**5A Section 108 amended (Avoidance of controls on information matching through use of exceptions to information privacy principles)**

In section 108, replace “Where” with “Despite **section 97A**, if”.

*Clause 6: new section 109C*

In *clause 6*, *new section 109C*, definition of **database**, after “system” (page 6, line 29), insert “or facility”.

*Clause 6: new section 109EA*

In *clause 6*, in the heading to *new section 109EA*, delete “of” (page 7, line 22).

*New subpart 4A of Part 2*

After *clause 30* (page 16, after line 24), insert:

Subpart 4A—Amendment to Intelligence and Security Act  
2017

**30A Principal Act**

This **subpart** amends the Intelligence and Security Act 2017 (the **principal Act**).

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**30B Section 282 amended (Section 200 amended (Restrictions on access to photographic images of driver licence holders))**

In section 282, replace new section 200(1A) of the Land Transport Act 1998 with:

- (1A) **Subsection (1)** is subject to—
- (a) subsections (2), (3), and (4):
  - (b) section 141 of the Intelligence and Security Act 2017:
  - (c) **Part 10A** of the Privacy Act 1993.

*New clause 31A*

After *clause 31* (page 16, after line 27), insert:

**31A Section 28 amended (Photographic driver licence)**

Replace section 28(5) with:

- (5) The agency—
- (a) must store the photographic image used for each licence until the licence expires; and
  - (b) may store the photographic image used for each licence after the licence has expired.

*Clause 54*

In *clause 54*, new section 80ZMA(1)(b), delete “**49(1)(fa)**,” (page 22, line 12).

*Schedule 3*

In *Schedule 3*, after the item relating to form 2 of the Schedule (page 27, after line 16), insert:

In the Schedule, form 3, under the heading “**Notes:**”, before the second first-level bullet point (which refers to section 60 of the Sentencing Act 2002), insert:

- in accordance with **section 59A** of the Sentencing Act 2002, you are required to allow the collection of biometric information if so directed by a probation officer:

### **Explanatory note**

This Supplementary Order Paper amends the Enhancing Identity Verification and Border Processes Legislation Bill by—

- inserting *new clause 5A*, which amends section 108 of the Privacy Act 1993 to clarify the relationship between that section and *new section 97A* (inserted by *clause 5* of the Bill);
- making minor technical amendments to *clauses 6 and 54*:

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- amending section 282 of the Intelligence and Security Act 2017 (which replaces section 200(1) of the Land Transport Act 1998) to take account of new section 200 of the Land Transport Act 1998 (as replaced by *clause 32*):
- inserting *new clause 31A*, which replaces section 28(5) of the Land Transport Act 1998 to clarify that a photographic image used for a driver licence may continue to be stored by the New Zealand Transport Agency after the licence has expired:
- amending *Schedule 3* to include in form 3 of the Schedule of the Sentencing Regulations 2002 (Order for sentence of community work) a reference to the requirement in *new section 59A* of the Sentencing Act 2002.