

Version  
as at 1 September 2022



**Privacy (Information Sharing Agreement Between  
Ministry of Justice and Statistics New Zealand)  
Order 2017**  
(LI 2017/51)

Patsy Reddy, Governor-General

**Order in Council**

At Wellington this 27th day of March 2017

Present:

The Right Hon Bill English presiding in Council

This order is made under section 174(2) of the Senior Courts Act 2016, section 237(2) of the District Court Act 2016, and sections 96J to 96L of the Privacy Act 1993—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister of Justice made in accordance with section 96N of the Privacy Act 1993.

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**Note**

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

**This order is administered by the Ministry of Justice.**

**Privacy (Information Sharing Agreement Between  
Ministry of Justice and Statistics New Zealand)  
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**Amendment to Schedule 2A of Privacy Act 1993**

**Order**

**1 Title**

This order is the Privacy (Information Sharing Agreement Between Ministry of Justice and Statistics New Zealand) Order 2017.

**2 Commencement**

This order comes into force on 27 April 2017.

**3 Interpretation**

In this order, unless the context otherwise requires,—

**Act** means the Privacy Act 1993

**agreement** means the information sharing agreement approved under clause 4

**integrated data infrastructure** means the information technology system of Statistics New Zealand that comprises linked administrative data from government agencies, Statistics New Zealand surveys, and non-government organisations

**permitted information** means the permitted information specified in—

- (a) Part B of the items relating to court information in Schedule 2 of the Senior Courts Act 2016, regardless of whether the information is controlled by the judiciary; and
- (b) Part B of the items relating to court information in Schedule 1 of the District Court Act 2016, regardless of whether the information is controlled by the judiciary

**personal information** has the meaning given in section 2(1) of the Act

**suppressed information** means information that—

- (a) has been suppressed by or under a court order; or
- (b) is subject to a provision in any enactment that prohibits or restricts its disclosure.

#### **4 Information sharing agreement approved**

- (1) The information sharing agreement described in subclause (2) is approved.
- (2) The information sharing agreement is the Information Sharing Agreement for Sharing Permitted Information with Statistics New Zealand made on 14 March 2017.
- (3) The agreement comes into force on the day this order comes into force.

#### *Parties and lead agency*

#### **5 Parties to agreement and designation of lead agency**

- (1) The parties to the agreement are—
  - (a) the Ministry of Justice; and
  - (b) Statistics New Zealand.
- (2) The lead agency is the Ministry of Justice.

#### **6 Purposes for which information may be shared**

The agreement authorises the sharing of personal information to enable Statistics New Zealand to collect permitted information that may then be—

- (a) disclosed to researchers using the integrated data infrastructure, or as otherwise permitted under the Data and Statistics Act 2022;
- (b) used for the production of official statistics.

Clause 6(a): amended, on 1 September 2022, by section 107(2) of the Data and Statistics Act 2022 (2022 No 39).

#### *Public services that agreement facilitates*

#### **7 Public services that agreement is intended to facilitate**

The public services that the agreement is intended to facilitate are—

- (a) bona fide research in relation to matters of public interest; and
- (b) the production of official statistics by Statistics New Zealand.

*Description of personal information shared under agreement*

**8 Personal information that may be shared under agreement**

- (1) The Ministry of Justice may, under the agreement, share permitted information with Statistics New Zealand.
- (2) Permitted information includes the following personal information:
  - (a) information about people who have faced criminal charges in the District Court or High Court, including details of the case and its outcomes; and
  - (b) information that a person has had a protection order, restraining order, extended supervision order, non-contact order, or public protection order made against them.
- (3) However, permitted information shared by the Ministry of Justice under the agreement will not include suppressed information.

*How personal information shared under agreement may be used*

**9 How parties may use personal information**

- (1) This clause applies to the use of personal information described in clause 8.
- (2) Statistics New Zealand may use personal information for 1 or more of the purposes specified in clause 6.

*Adverse actions*

**10 Adverse actions**

- (1) No adverse actions will be taken as a result of the sharing of personal information under the agreement.
- (2) No procedures before taking an adverse action are therefore required.

*Miscellaneous*

**11 How to access agreement**

- (1) A copy of the agreement is available online at <http://www.justice.govt.nz>
- (2) A copy of the agreement is also available at the Ministry of Justice, Justice Centre, 19 Aitken Street, Thorndon, Wellington 6011.

**12 Schedule 2A of Privacy Act 1993 amended**

- (1) This clause amends the Privacy Act 1993.
- (2) In Schedule 2A, after the item relating to information sharing to support services for disengaged youth, insert the item set out in the Schedule of this order.

**Schedule**  
**Amendment to Schedule 2A of Privacy Act 1993**

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Information Sharing Agreement for Sharing Permitted Information with Statistics New Zealand	Bona fide research in relation to matters of public interest Production of official statistics by Statistics New Zealand	<a href="http://www.justice.govt.nz">http://www.justice.govt.nz</a> Ministry of Justice	Permitted information, being permitted information that is specified in Part B of the items relating to court information in Schedule 2 of the Senior Courts Act 2016, but not including any permitted information suppressed by or under a court order or any enactment Permitted information, being permitted information that is specified in Part B of the items relating to court information in of the District Court Act 2016, but not including any permitted information suppressed by or under a court order or any enactment
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Michael Webster,  
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2019.  
Date of notification in *Gazette*: 30 March 2017.

## Notes

### **1** *General*

This is a consolidation of the Privacy (Information Sharing Agreement Between Ministry of Justice and Statistics New Zealand) Order 2017 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

### **2** *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

### **3** *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

### **4** *Amendments incorporated in this consolidation*

Data and Statistics Act 2022 (2022 No 39): section 107(2)