

## **Authorised Access to Certain Names and Addresses held on the Motor Vehicle Register**

Person: AIM CRI Limited

Purpose:

- Preparing evidence related to criminal offences;
- the detection and investigation of suspected fraud;
- enforcing Court orders and judgments; and
- when acting as a contracted agent on behalf of government agencies with law enforcement functions, to assist in carrying out those functions.

Term: The authorisation is valid for a period of 5 years commencing 12 October 2021 and ending at midnight on 11 October 2026.

### **Conditions**

The authorisation is subject to the following conditions:

#### **Definitions**

**authorised access** means access or use of information that has been authorised under the terms of this notice

**unauthorised access** means access or use of information that is not authorised access

**Waka Kotahi** means the New Zealand Transport Agency

**User** means AIM CRI Limited

#### **General conditions**

1. The User must only access information for the specified purpose.
2. The information must only be accessed by the User on its own behalf.
3. Information obtained under this authorisation shall not be disclosed to any third party unless such disclosure is necessary to achieve a specified purpose.
4. Access must be restricted solely to members of staff for whom authorised access is essential to achieving a specified purpose.
5. The User must comply with the terms and conditions, if any, imposed by the NZ Transport Agency for access to Motor Vehicle Register information.

#### **Notifying relevant person that their information was accessed**

6. The User must notify every person of which they have accessed their personal information from the motor vehicle register that:
  - a. The User obtained their information from the motor vehicle register; and
  - b. The relevant gazette notice under which the User had the authority to do this; and
  - c. What the information was used for; and
  - d. The person can notify the Registrar that they do not wish to have their names and addresses made available under an authorisation under section 241(1).
7. A notification made under clause 6 must be made in writing and a copy of the notification must be kept on record in accordance with clauses 16–18.

#### **Security systems**

8. Each staff member of the User who can access the motor vehicle register on behalf of the User must be provided with unique and identifiable log-in details (and must create their own unique password) that must be used each time the individual person accesses the register.
9. Staff members must not share their log-in password with any other person and must not allow any other person to use their login.
10. The User must have adequate systems and policies in place that prevent unauthorised access from occurring, including to:
  - a. provide security of information technology and data against unauthorised access; and
  - b. ensure all staff members who use or have access to the motor vehicle register have completed training that complies with clauses 13 and 14; and

- c. ensure information accessed from the motor vehicle register is limited to information needed to achieve the specific purpose for which the information is accessed; and
- d. ensure information is retained no longer than is necessary for the specific purpose for which information is accessed; and
- e. assist the User to identify unauthorised access, or suspected unauthorised access, including having individual log-ins under clause 8.

#### ***Privacy breaches***

- 11. If the User suspects that unauthorised access has occurred (including by any staff, whether or not acting within the authority of the User), the User must notify Waka Kotahi as soon as practicable but no later than 7 days, after forming a suspicion.
- 12. If the User finds that unauthorised access has occurred, the User must immediately notify Waka Kotahi. If the unauthorised access is likely to have caused serious harm to any person, then the User must notify both Waka Kotahi and the Privacy Commissioner

#### ***Training***

- 13. Staff members of the User must not have access to the motor vehicle register unless they have completed training in accessing information in accordance with section 241 and the terms of this notice, including training on:
  - a. when the User can access information under section 241; and
  - b. how to ensure record keeping requirements are met; and
  - c. how to ensure information that is obtained from the motor vehicle register is protected; and
  - d. when and how to safely destroy information that was obtained from the motor vehicle register; and
  - e. Obligations under the Privacy Act 2020 and information privacy principles, including as set out in learning modules and information made available by the Office of the Privacy Commissioner.
- 14. All staff must complete a refresher training course every 6 to 12 months after the date that they last completed the training course.

#### ***Record keeping and auditing***

- 15. The User must keep a record of every time it accesses the motor vehicle register.
- 16. The record must be kept for a period of at least 18 months from the date of access.
- 17. The record must include:
  - a. the date the motor vehicle register was accessed; and
  - b. the relevant plate number for the information accessed; and
  - c. the individual log-in that accessed the motor vehicle register on behalf of the User; and
  - d. the reason the User accessed the information, including an explanation and supporting material establishing that the specific circumstances fell within the specified purpose; and
  - e. A copy of a notification made under clauses 6 and 7
- 18. Records must be made available to Waka Kotahi on request, as soon as practicable but no later than:
  - a. 7 days after the date of the request – if the request is in relation to an incident or suspected incident; or
  - b. 10 working days – if the request is for monitoring or auditing purposes.
- 19. The User must also provide such information as Waka Kotahi reasonably considers relevant to determining whether and how the User complies with these conditions.
- 20. Names and addresses obtained from the register must not be retained for longer than required to achieve the specified purpose (i.e. a record of names and addresses obtained from the register is not required to comply with clauses 15–17).

#### ***Reporting***

- 21. Every 12 months the User must provide Waka Kotahi with a report, in a form set by Waka Kotahi, containing:
  - a. confirmation that clauses 15 to 17 have been complied with; and
  - b. a record of staff training that has taken place in accordance with the requirements in clauses 13 and 14 over the last 12 month reporting period; and

- c. all actions taken in relation to all instances, or suspected instances, of unauthorised access over the last 12 month reporting period (including if no action was taken).

***Fees***

- 22. The User must pay the applicable fees for accessing the motor vehicle register.

***Other***

- 23. If the User or any staff (whether or not acting within the authority of the User) breach any conditions, then Waka Kotahi may immediately suspend or cancel the User's access to personal information on the motor vehicle register (under section 241(6) or (2)).
- 24. Nothing in this notice affects the User's obligations under the Privacy Act 2020.