

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

Person: Desktop Management Limited

1. Purpose(s):

To assist in locating a person, where that person has failed to pay a debt owed in relation to a motor vehicle, for the purpose of:

- serving a notice of debt when the User has legal authority to serve that notice
- serving documents for court proceedings when the User has legal authority to serve those documents

2. to assist in locating a motor vehicle for the purpose of:

- using lawful means to take possession of that motor vehicle.

Term: The authorisation is valid for a period of 5 years commencing 3 September 2021 and ending at midnight on 2 September 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** Desktop Management Limited

### **General conditions**

1. the information obtained under this authorisation shall not be disclosed to any third party unless such disclosure is necessarily incidental to achieving a specified purpose.

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

2. The User must notify every person of which they have accessed their person 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.
3. A notification made under clause 2 must be made in writing and a copy of the notification must be kept on record in accordance with clauses 12–17.

#### ***Security systems***

4. The Managing Director of Desktop Management Limited is the only staff member authorised to access the Motor Vehicle Register under this notice.
5. The Managing Director of Desktop Management Limited must not share their login or password with any other person.
6. The Managing Director of Desktop Management Limited must take all reasonable measures to ensure their login and password are kept secure, and not accessed by any other person.
7. 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 the Managing Director of Desktop Management Limited has completed training that complies with this notice; 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 or for complying with record keeping and auditing requirements set out in this notice; and
- e. assist the User to identify unauthorised access, or suspected unauthorised access.

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

- 8. 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.
- 9. 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***

- 10. The Managing Director of Desktop Management 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 personal information that is obtained from the motor vehicle register is protected; and
  - d. when and how to safely destroy personal 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.
- 11. The Managing Director of Desktop Management 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***

- 12. The User must keep a record of every time it accesses the motor vehicle register.
- 13. The record must be kept for a period of at least 18 months from the date of access.
- 14. 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 reason the User accessed the information, including an explanation and supporting material establishing that the specific circumstances fell within the specified purpose; and
  - d. A copy of a notification made under clauses 2 and 3.
- 15. This notice does not require the User to retain a record of names and addresses accessed from the motor vehicle register. All personal information accessed should be managed in accordance with the requirements of the Privacy Act 2020.
- 16. 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.
- 17. The User must also provide such information as Waka Kotahi reasonably considers relevant to determining whether and how the User complies with these conditions.

#### ***Reporting***

- 18. Every 12 months the User must provide Waka Kotahi with a report, in a form set by Waka Kotahi, containing:
  - a. conformation that clauses 10 to 13 have been complied with; and
  - b. a list of staff training that has taken place in accordance with the requirements in this notice 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.

***Fees***

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

***Other***

- 20. 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)).
- 21. All obligations under the Privacy Act 2020 must be complied with.