
From: FinanceDMU
Sent: Wednesday, 29 March 2017 1:42 PM
To: Matthew Rush
Subject: FW: Credit check request for Auror Limited
Attachments: 13-53-53-90_28-03-2017.pdf

Categories: To Do

Afternoon

Nothing outstanding on the attached
AUROR LIMITED

Cheers Nikki :)

Nikki Patterson-Jensen / Debt Administrator Organisational Support
0800 655 644
E nikki.patterson-jensen@nzta.govt.nz / w nzta.govt.nz Palmerston North Office Private Bag 11777, Palmerston North 4442, New Zealand

-----Original Message-----

From: S241
Sent: Tuesday, 28 March 2017 4:20 p.m.
To: Credit Requests
Cc: Brenda Ingram
Subject: Credit check request for Auror Limited

Hello

We have received an application under section 241 of the LTA 1998 from Auror Limited. Could you please return a credit check?

Many thanks

Matt Rush / Senior Customer Access Representative Customer Response Team - Customer Access P 0800 108 809
E info@nzta.govt.nz / W nzta.govt.nz Palmerston North Office Private Bag 11777, Palmerston North 4442, New Zealand

-----Original Message-----

From: Scan From Xerox
Sent: Tuesday, 28 March 2017 1:55 p.m.

To: Matthew Rush
Subject: Scan from Xerox MFD

This e-mail is generated by the Mail Notification feature of Solution Builder.
We seek your kind understanding that we are unable to reply via this channel.

Released under the Official Information Act 1982

From: Alan Malthus
Sent: Thursday, 30 March 2017 4:00 PM
To: Amber Coyle; S241
Subject: RE: Application from Auror Limited

Categories: To Do

Section 9(2)(h)

Alan Malthus
Principal Legislative Counsel
DDI Section 9(2)(a)
M
E alan.malthus@nzta.govt.nz

Please consider the environment before printing this email

From: Amber Coyle
Sent: Wednesday, 29 March 2017 12:45 p.m.
To: S241; Alan Malthus
Subject: RE: Application from Auror Limited

Section 9(2)(h)

Amber

Amber Coyle / Policy Advisor
Direction, Access and Use Group

DDI Section 9(2)(a)
E amber.coyle@nzta.govt.nz / w nzta.govt.nz



From: S241
Sent: Tuesday, 28 March 2017 4:27 p.m.

To: Amber Coyle; Alan Malthus
Subject: Application from Auror Limited

Hello

We've received an interesting application from Auror Limited. What makes it interesting is that it fits closely with the standard terms for fuel suppliers, but Auror is not a fuel supplier. Rather, they are offering their services to fuel suppliers to contact registered persons in respect of vehicles involved with petrol drive-offs. Any comments or questions before we send this away to our advising agencies? I found this info on their website that might help explain who they are and what they do: <https://www.auror.co/about/>

Thanks

Matt Rush / Senior Customer Access Representative

Customer Response Team – Customer Access

P 0800 108 809

E info@nzta.govt.nz / W nzta.govt.nz

Palmerston North Office

Private Bag 11777, Palmerston North 4442, New Zealand



From: Scan From Xerox
Sent: Tuesday, 28 March 2017 1:55 p.m.
To: Matthew Rush
Subject: Scan from Xerox MFD

This e-mail is generated by the Mail Notification feature of Solution Builder.
We seek your kind understanding that we are unable to reply via this channel.

Released under the Official Information Act 1982

From: Section 9(2)(a)
Sent: Thursday, 11 May 2017 3:51 PM
To: S241
Cc: Section 9(2)
Subject: RE: Application under Section 241 of Land Transport Act 1998

Hello Nicole

Thank you for consulting with us on these Section 241 applications.

Standard Terms Applications

Consumer Credit Management Limited

We are satisfied there are no matters that raise concerns in respect to the applicant. Our advice is that access is approved on the condition that access is limited to the purposes, and with the conditions specified, in the gazetted standard terms for Financial Service Providers.

Non Standard Terms Applications

As part of considering the privacy impacts of each application for access to the MVR under section 241 we have considered the following matters:

- whether the purpose for access relates to the use of a motor vehicle;
- whether access is for the applicant's own use;
- whether the purpose for access relates to the business activity of the applicant;
- whether there are other practical means of the applicant obtaining access to the required information;
- the potential for misuse of access to the MVR by the applicant or users of the applicant's service;
- the information handling practices of the applicant; and
- whether the applicant has been found in breach any of the privacy principles in the Privacy Act in the last five years.

Ford Motor Company Limited
Holden New Zealand Limited
Honda New Zealand Limited
Mazda Motors of New Zealand Limited
Mitsubishi Motors New Zealand Limited
Toyota New Zealand Limited

These applicants are all vehicle wholesalers. Some of the applicants also act as Motor Vehicle Traders, selling vehicles directly to customers. This group of applicants seek access to the MVR for the following purposes:

- To facilitate the sale/purchase of vehicles including verifying the registered person and confirming change of ownership;
- For safety recalls;
- Customer relationship management, including cleansing/updating customer databases,
- Direct marketing, including service campaigns;
- Administrative purposes, including maintaining business relationships with motor vehicle retailers;
- Checking vehicle specifications; and
- Research and analysis.

Our advice is that access for these applicants is approved on the condition that access is limited to the purposes, and with the conditions specified, in the gazetted standard terms for Motor Vehicle Traders. We do not support access to the MVR for the additional purposes of marketing, administration and customer relationship management. Instead, these purposes should be met by maintaining accurate records through

talking with their customers. We note that some of the purposes, such as checking vehicle specifications can be achieved without accessing name and address information, and is readily available from the MVR.

**Avon Towing and Salvage Limited
Supreme Towing
Trade Towage Limited**

These applicants are all tow operators seeking access to the MVR for the purpose of providing tow services to Police or other statutory bodies and notifying owners about impounded vehicles.

Our advice is that access for these applicants should be approved. As a tow operator, the applicants have a legitimate business need to contact the owners of impounded vehicles. Conditions of access to these applicants should be consistent with access granted to other tow operators. Before granting access to applicants in this category, we recommend that NZTA consider whether applicants could achieve their purpose for access by working through the Police or another means. Access by agencies who are seeking approval under section 241 for efficiency purposes should be kept to a minimum.

**Corporate Risks (1997) Limited
Scope Investigations Limited**

These applicants are licenced private investigators seeking access for continued access to the MVR for the purposes of providing private investigation services to clients including but not limited to government agencies with law enforcement functions.

Our advice is that access for these applicants be approved for the following existing allowable purposes:

- 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.

Waterstone Insolvency Limited

The applicant operates an insolvency practice and seeks continued access to name and address details in relation to vehicles recovered during a liquidation/receivership situation.

Our advice is that access be approved for the existing allowable purpose.

Hokitika Airport

The applicant provides public parking spaces and seeks continued access for the purpose of enforcing parking fees that have not been paid within the prescribed time.

Our advice is that access be approved for the existing allowable purpose.

Apex Car Rentals Limited

The applicant is a car rental hire company. It seeks access to the MVR to process change of ownership of cars sold, and to view other party details where one of their vehicles is involved in an accident.

Our advice is that access should not be approved. There is no necessity for this company to access the MVR for the stated purposes. The process of selling a vehicle is not the core part of the applicant's business and can be achieved without access to the MVR, as is the case for other companies and individuals that own vehicles. Access for insurance purposes is unnecessary. Any insurance matter is appropriately managed by the applicant's insurer that may access the MVR under the current financial service providers class authorisation, or under the standard terms arrangement for Financial Service Providers.

Auror Limited

The applicant seeks access to the MVR to enable it to provide a debt recovery service to fuel suppliers that have been subject to non-paying customer drive-off situations.

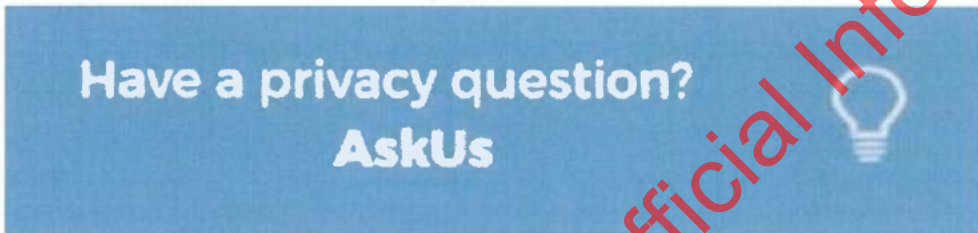
Our advice is that access should not be approved. The applicant already provides this service to fuel customers like Z Energy and Caltex without itself having access to the MVR. NZTA has a set of standard terms and conditions for access by Fuel Suppliers for the purpose of following up non-paying customers. Our preferred approach is to provide access to Fuel Suppliers in accordance with the standard terms and conditions. Providing access to a company that will have other debt recovery reasons to access the MVR increases the risk of inappropriate access to and use of personal information on the MVR.



Please contact me if any matter is unclear and you want to discuss our responses further.

Regards

Section 9(2)(a)

Office of the Privacy Commissioner Te Mana Matapono Matatapu
PO Box 10094, The Terrace, Wellington 6143
Level 8, 109 Featherston Street, Wellington, New Zealand
T Section 9(2)(a) DDI
E Section 9(2)(a)
www.privacy.org.nz



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From: S241 [<mailto:S241@nzta.govt.nz>]
Sent: Friday, 28 April 2017 5:44 p.m.
To: Section 9(2)(a)
Subject: Application under Section 241 of Land Transport Act 1998

Good evening

I attach for your comments applications for access to registered person names and address held on the Motor Vehicle Register.

Standard Terms Applications

Consumer Credit Management Limited	Financial Service Provider
------------------------------------	----------------------------

Non Standard Terms Applications

Apex Car Rentals Limited
Auror Limited
Avon Towing & Salvage Limited

Corporate Risks (1997) Limited
Ford Motor Company of New Zealand Limited
Hokitika Airport Limited
Holden NZ Limited
Honda New Zealand Limited
Mazda Motors New Zealand Limited
Mitsubishi Motors New Zealand Limited
Scope Investigations Limited
Supreme Towing Limited
Toyota New Zealand Limited
Trade Towage Limited
Waterstone Insolvency Limited

In particular we would be interested in your views as to:

- Whether or not the applicant should be granted access;
- The purposes specified for use of the information;
- If the applicant should be granted access, what conditions (if any) should be imposed on the applicant;
- The length of time the authorisation should be in force;
- Any other matter relating to the application or the applicant that you consider will inform the NZTA's consideration of the application.

Can you please provide your comments on these applications to S241@nzta.govt.nz by 19 May 2017.

Regards
Nicole

Nicole Rule / Senior Customer Access Representative
Customer Response Team

Phone 64 6 953 6200 ext **Secti**

E nicole.rule@nzta.govt.nz / w nzta.govt.nz

PALMERSTON NORTH OFFICE / 43 Ashley Street,
Private Bag 11777, Palmerston North 4442, New Zealand



Nicole Rule / Senior Customer Access Representative
Customer Response Team

Phone 64 6 953 6200 ext **Sectio**

E nicole.rule@nzta.govt.nz / w nzta.govt.nz

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Private Bag 11777, Palmerston North 4442, New Zealand



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From: S241
Sent: Monday, 3 July 2017 6:08 PM
To: Section 9(2)(a)
Subject: FW: Application under Section 241 of Land Transport Act 1998
Attachments: #Apex Car Rentals Ltd.pdf; #Auror Limited application.pdf; #Avon Towing & Salvage Limited application.pdf; #Corporate Risks (1997) Limited.pdf; #Ford Motor Company of New Zealand Limited.pdf; #Hokitika Airport.pdf; #Holden New Zealand Limited.docx; #Honda New Zealand Limited.pdf; Mazda Motors of New Zealand Limited.pdf; #Mitsubishi Motors New Zealand Limited.pdf; #Scope Investigations Limited.pdf; #Supreme Towing Limited application.pdf; #Toyota New Zealand Limited.pdf; #Trade Towage Limited.pdf; #Waterstone Insolvency Limited.pdf; #Consumer Credit Management Limited.pdf

Hi Section

I'm sorry it's unclear if anyone has come back to you after you asking the difference between standard and non-standard applicants.

Standard applicants are those who fall under a common set of already agreed terms and conditions i.e most Motor Vehicle Traders want the same purposes for access as each other so we created these three standard groups. For your reference, standard terms for all groups are below;

Financial Service Providers (FSP) - <https://gazette.govt.nz/notice/id/2017-au1222>

Motor Vehicle Traders (MVT) - <https://gazette.govt.nz/notice/id/2017-au1223>

Fuel Suppliers (FS) - <https://gazette.govt.nz/notice/id/2017-au1221>

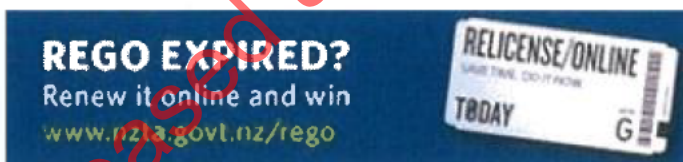
The attached applications are now all to be considered case by case as non-standard applicants however the consultation requested from you remains the same so you should not need to make any changes to the process of your reviewing and providing comment.

Thank you

Katie Hodson / Manager Customer Response
Customer Service Centre

P 06 9536200 ext Section / E katie.hodson@nzta.govt.nz / W nzta.govt.nz

PALMERSTON NORTH OFFICE / 43 Ashley Street,
Private Bag 11777, Palmerston North 4442, New Zealand



From: Info@nzta.govt.nz **On Behalf Of** S241
Sent: Friday, 28 April 2017 5:44 p.m.
To: Section 9(2)(a)
Subject: Application under Section 241 of Land Transport Act 1998

Good evening

I attach for your comments applications for access to registered person names and address held on the Motor Vehicle Register.

Standard Terms Applications

Consumer Credit Management Limited	Financial Service Provider
------------------------------------	----------------------------

Non Standard Terms Applications

Apex Car Rentals Limited
Auror Limited
Avon Towing & Salvage Limited
Corporate Risks (1997) Limited
Ford Motor Company of New Zealand Limited
Hokitika Airport Limited
Holden NZ Limited
Honda New Zealand Limited
Mazda Motors New Zealand Limited
Mitsubishi Motors New Zealand Limited
Scope Investigations Limited
Supreme Towing Limited
Toyota New Zealand Limited
Trade Towage Limited
Waterstone Insolvency Limited

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- The length of time the authorisation should be in force;
- Any other matter relating to the application or the applicant that you consider will inform the NZTA's consideration of the application.

Can you please provide your comments on these applications to S241@nzta.govt.nz by 19 May 2017.

Regards
Nicole

Nicole Rule / Senior Customer Access Representative

Customer Response Team

Phone 64 6 953 6200 ext **Secti**

E nicole.rule@nzta.govt.nz / w nzta.govt.nz

PALMERSTON NORTH OFFICE / 43 Ashley Street,
Private Bag 11777, Palmerston North 4442, New Zealand



Nicole Rule / Senior Customer Access Representative

Customer Response Team

Phone 64 6 953 6200 ext **Secti**

E nicole.rule@nzta.govt.nz / W nzta.govt.nz

PALMERSTON NORTH OFFICE / 43 Ashley Street,
Private Bag 11777, Palmerston North 4442, New Zealand



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From: Section 9(2)(a)
Sent: Wednesday, 5 July 2017 1:44 PM
To: S241
Subject: RE: Application under Section 241 of Land Transport Act 1998
Attachments: Document_2017-07-05_13-28-57-448_ibbu91.pdf

Thank you Katie

Here is the letter with the Police Comments in relation to this batch of applications.

Regards

Sect



Section 9(2)(a)

Section 9(2)(a) Legal Services | New Zealand Police

Section 9(2)(a)

Police National Headquarters, 180 Molesworth Street, PO Box 3017, Wellington. www.police.govt.nz

Safer Communities Together

From: S241 [mailto:S241@nzta.govt.nz]
Sent: Monday, 3 July 2017 6:08 p.m.
To: Section 9(2)(a)
Subject: FW: Application under Section 241 of Land Transport Act 1998

Hi Se

I'm sorry it's unclear if anyone has come back to you after you asking the difference between standard and non-standard applicants.

Standard applicants are those who fall under a common set of already agreed terms and conditions i.e most Motor Vehicle Traders want the same purposes for access as each other so we created these three standard groups. For your reference, standard terms for all groups are below;

Financial Service Providers (FSP) - <https://gazette.govt.nz/notice/id/2017-au1222>

Motor Vehicle Traders (MVT) - <https://gazette.govt.nz/notice/id/2017-au1223>

Fuel Suppliers (FS) - <https://gazette.govt.nz/notice/id/2017-au1221>

The attached applications are now all to be considered case by case as non-standard applicants however the consultation requested from you remains the same so you should not need to make any changes to the process of your reviewing and providing comment.

Thank you

Katie Hodson / Manager Customer Response

Customer Service Centre

P 06 9536200 ext **Sect** / E katie.hodson@nzta.govt.nz / W nzta.govt.nz



From: Info@nzta.govt.nz **On Behalf Of** S241
Sent: Friday, 28 April 2017 5:44 p.m.
To: Section 9(2)(a)
Subject: Application under Section 241 of Land Transport Act 1998

Good evening

I attach for your comments applications for access to registered person names and address held on the Motor Vehicle Register.

Standard Terms Applications

Consumer Credit Management Limited	Financial Service Provider
------------------------------------	----------------------------

Non Standard Terms Applications

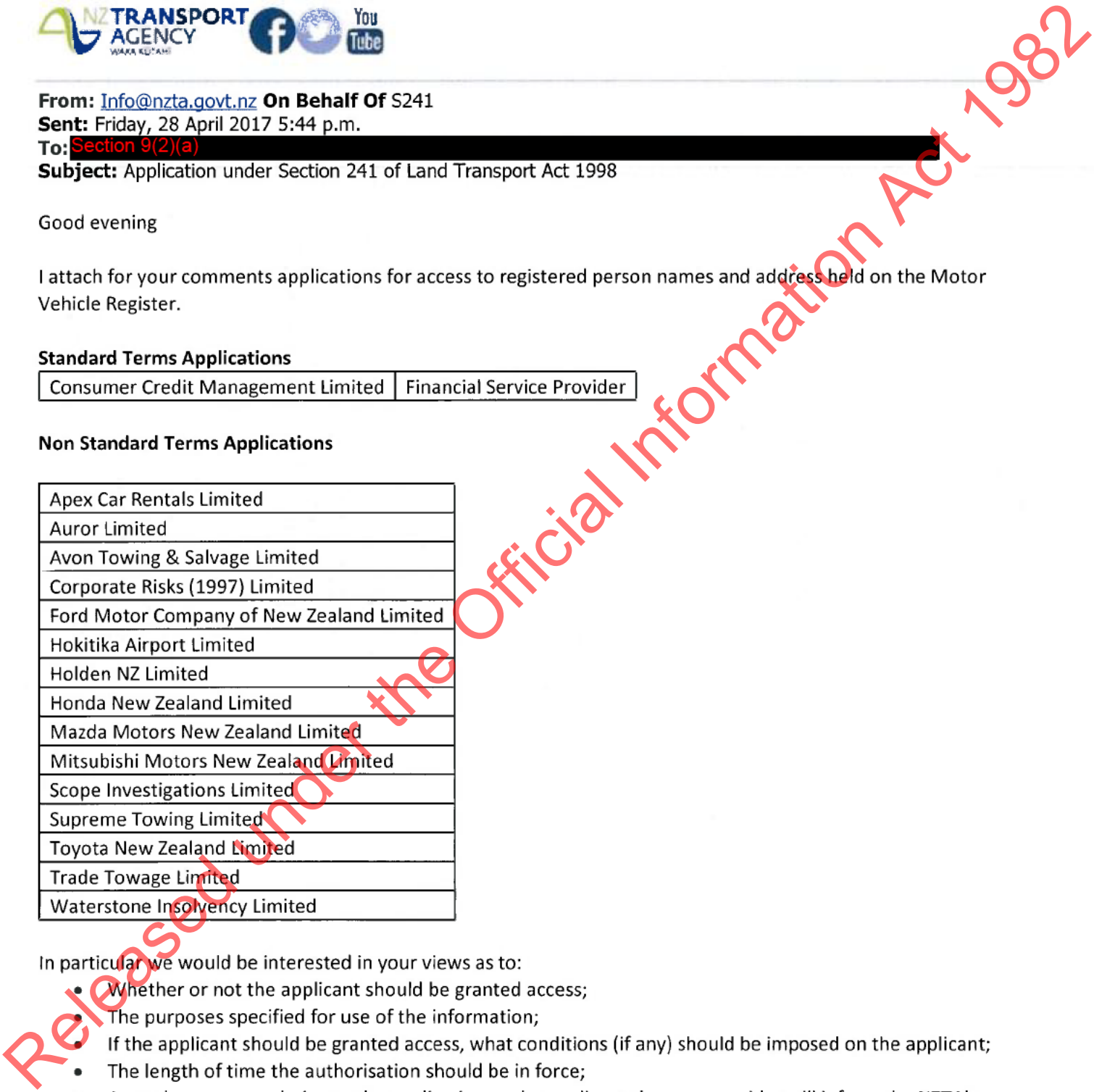
Apex Car Rentals Limited
Auror Limited
Avon Towing & Salvage Limited
Corporate Risks (1997) Limited
Ford Motor Company of New Zealand Limited
Hokitika Airport Limited
Holden NZ Limited
Honda New Zealand Limited
Mazda Motors New Zealand Limited
Mitsubishi Motors New Zealand Limited
Scope Investigations Limited
Supreme Towing Limited
Toyota New Zealand Limited
Trade Towage Limited
Waterstone Insolvency Limited

In particular we would be interested in your views as to:

- Whether or not the applicant should be granted access;
- The purposes specified for use of the information;
- If the applicant should be granted access, what conditions (if any) should be imposed on the applicant;
- The length of time the authorisation should be in force;
- Any other matter relating to the application or the applicant that you consider will inform the NZTA's consideration of the application.

Can you please provide your comments on these applications to S241@nzta.govt.nz by 19 May 2017.

Regards



Nicole

Nicole Rule / Senior Customer Access Representative
Customer Response Team

Phone 64 6 953 6200 ext **Secti**

E nicole.rule@nzta.govt.nz / w nzta.govt.nz

PALMERSTON NORTH OFFICE / 43 Ashley Street,
Private Bag 11777, Palmerston North 4442, New Zealand



Nicole Rule / Senior Customer Access Representative
Customer Response Team

Phone 64 6 953 6200 ext **Secti**

E nicole.rule@nzta.govt.nz / w nzta.govt.nz

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Also note, the views expressed in this message may not necessarily reflect those of the New Zealand Police. If you have received this message in error, please email or telephone the sender immediately



5 July 2017

Nicole Rule
New Zealand Transport Agency
Private Bag 11777
PALMERSTON NORTH 4442

Dear Nicole

Section 241 - Applications for access to names and addresses on the Motor Vehicle Register made by the companies & organisations listed below:

Thank you for consulting with Police in relation to the following applications.

Applicant Name
Apex Car Rentals Ltd
Auror Ltd
Avon Towing & Salvage Ltd
Corporate Risks (1997) Ltd
Ford Motor Co NZ LTD
Hokitika Airport
Holden NZ Ltd
Honda NZ Ltd
Mazda Motors NZ Ltd
Mitsubishi Motors NZ Ltd
Scope Investigations Ltd
Supreme Towing Ltd
Toyota NZ Ltd
Trade Towage Ltd
Waterstone Insolvency Ltd
Consumer Credit Management Ltd

Police has no specific comments related to this batch of applicants, other than to make the following general observations:

1. Police's concern about any access to the Motor Vehicle Register is whether there is a risk that the information will be used for criminal purposes.
2. As well as the potential for the individual accessing the Register to misuse the information, Police is also concerned about the potential for a third party to obtain the information from the agency who has legitimate access.
3. Police therefore propose that any access granted has conditions to safeguard the appropriate use of the information:
 - adequate training of staff;
 - adequate security arrangements to prevent unauthorised access to the information;
 - non-disclosure of personal information to third parties except as necessary for the specified purpose;
 - a record of access to the Register should be maintained with the details of what information is sought, the reason for obtaining the information, the date and time of the access, and any disclosure of the information to a third party.
4. Police note that the comments made in this letter are general, and not intended to imply that Police approves or disapproves of these particular applicants or any employee of the applicant.

Thank you for the opportunity to comment on these applications.

Yours sincerely

Section 9(2)(a)

Section 9(2)(a)

Section 9(2)(a)

Police National Headquarters

From: Section 9(2)(a)
Sent: Thursday, 4 May 2017 12:03 PM
To: S241
Subject: RE: Application under Section 241 of Land Transport Act 1998

Hi Nicole

Could I just check with you what the difference is between standard term and non-standard term applications, as specified in your email below please?

Thanks

Section 9(2)(a)



Section 9(2)(a)

Section 9(2)(a) | Legal Services | New Zealand Police

Section 9(2)(a)

Police National Headquarters, 180 Molesworth Street, PO Box 3017, Wellington, www.police.govt.nz

Safer Communities Together

From: S241 [mailto:S241@nzta.govt.nz]

Sent: Friday, 28 April 2017 5:44 p.m.

To: Section 9(2)(a)

Section 9(2)(a)

Subject: Application under Section 241 of Land Transport Act 1998

Good evening

I attach for your comments applications for access to registered person names and address held on the Motor Vehicle Register.

Standard Terms Applications

Consumer Credit Management Limited	Financial Service Provider
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Non Standard Terms Applications

Apex Car Rentals Limited
Auror Limited
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Scope Investigations Limited
Supreme Towing Limited
Toyota New Zealand Limited
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Waterstone Insolvency Limited

In particular we would be interested in your views as to:

- Whether or not the applicant should be granted access;
- The purposes specified for use of the information;
- If the applicant should be granted access, what conditions (if any) should be imposed on the applicant;
- The length of time the authorisation should be in force;
- Any other matter relating to the application or the applicant that you consider will inform the NZTA's consideration of the application.

Can you please provide your comments on these applications to S241@nzta.govt.nz by 19 May 2017.

Regards
Nicole

Nicole Rule / Senior Customer Access Representative
Customer Response Team

Phone 64 6 953 6200 ext **Secti**

E nicole.rule@nzta.govt.nz / w nzta.govt.nz

PALMERSTON NORTH OFFICE / 43 Ashley Street,
Private Bag 11777, Palmerston North 4442, New Zealand



Nicole Rule / Senior Customer Access Representative
Customer Response Team

Phone 64 6 953 6200 ext **Secti**

E nicole.rule@nzta.govt.nz / w nzta.govt.nz

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Private Bag 11777, Palmerston North 4442, New Zealand



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From: Section 9(2)(a)
Sent: Monday, 19 June 2017 8:13 AM
To: S241
Subject: RE: Application under Section 241 of Land Transport Act 1998

Thanks, Katie.
The standard terms process, as discussed will be fine.

Regards

Section 9(2)(a)

Office of the Ombudsman | Tari o te Kaitiaki Mana Tangata

Phone 04 473 9533 | Fax 04 471 2254

Email Section 9(2)(a) | www.ombudsman.parliament.nz

PO Box 10152, Level 6, SolNet House, 70 The Terrace, Wellington

Ombudsman

Fairness for all

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From: S241 [mailto:S241@nzta.govt.nz]
Sent: Friday, 16 June 2017 5:49 p.m.
To: Section
Subject: RE: Application under Section 241 of Land Transport Act 1998

Good evening Section 9(2)

Please accept my apologies for the extreme delay in getting back to you on this one.

I've taken over section 241 from Nicole so will follow this up on Monday and provide the covering letter required for the below non-standard terms applications and any going forward.

When we met in Wellington it was decided that our standard terms applicants could be sent for comment in list form (just the company name) and you can request the full application if needed – was this going to be ok for your part in the consultation?

Let me know if you have any questions,

Thank you

Katie Hodson / Team Leader
Customer Response Team

P 06 9536200 ext **Section 9(2)(a)** / E katie.hodson@nzta.govt.nz / W nzta.govt.nz

PALMERSTON NORTH OFFICE / 43 Ashley Street,
Private Bag 11777, Palmerston North 4442, New Zealand



From: **Section 9(2)(a)**
Sent: Wednesday, 17 May 2017 9:54 a.m.
To: S241
Subject: FW: Application under Section 241 of Land Transport Act 1998

Hi Nicole

I do not appear to have received a response to my below email and would be grateful for your assistance.

Kind regards

Section 9(2)(a)

Section 9(2)(a)

Office of the Ombudsman | Tari o te Kaitiaki Mana Tangata

Phone 04 473 9533 | Fax 04 471 2254

Email **Section 9(2)(a)** | www.ombudsman.parliament.nz

PO Box 10152, Level 6, SolNet House, 70 The Terrace, Wellington

Ombudsman
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From: **Section 9(2)(a)**
Sent: Friday, 5 May 2017 3:55 p.m.
To: 'S241'; **Section 9(2)(a)**
Subject: RE: Application under Section 241 of Land Transport Act 1998

Hi Nicole

I refer to your request for comment on these applications. However, I note that in its letter of 9 September 2016, NZTA had stated that a covering letter would accompany applications covering certain aspects:

For example, we propose to attach a covering letter to any future application/s forwarded for your comment. That letter would identify:

- What are the Transport Agency's views on what uses seem appropriate?
- What are the Transport Agency's views on what terms and conditions of access are appropriate?
- How (if relevant) do these proposed uses relate to previous s241 approvals?
- Do we have any history of access breaches from this applicant, or any relevant concerns?
- What the Transport Agency's view is of the application (i.e. should it be granted or declined).

Effectively, the Transport Agency will be signalling its intention as an integral part of forwarding any applications for consultation. Please note that this will be an indication only - the decision maker within the Agency will apply independent consideration to each application.

We consider that this should enable NZ Police, Office of the Ombudsman Office of the Privacy Commissioner to better manage the level of resource they need to allocate to the consultation task.

I note that the bulk of the applicants have previously had access to the register, whether by grant or under a class authorisation, but it would be helpful if the Agency would nevertheless provide the information it indicated would accompany applications.

The general approach of the Chief Ombudsman would likely be in line with the view that if a grantee has complied with all terms and conditions of the earlier authorisation, is still carrying on the same business, and is seeking the same access as before, then the same reasons warranting the initial grant would appear to continue to apply.

Your advice on the applications would be appreciated.

Kind regards

Section 9(2)(a)

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Phone 04 473 9533 | Fax 04 471 2254

Email [Section 9\(2\)\(a\)](mailto:Section 9(2)(a)@ombudsman.parliament.nz) | www.ombudsman.parliament.nz

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From: S241 [<mailto:S241@nzta.govt.nz>]
Sent: Friday, 28 April 2017 5:44 p.m.
To: Section 9(2)(a)
Subject: Application under Section 241 of Land Transport Act 1998

Good evening

I attach for your comments applications for access to registered person names and address held on the Motor Vehicle Register.

Standard Terms Applications

Consumer Credit Management Limited	Financial Service Provider
------------------------------------	----------------------------

Non Standard Terms Applications

Apex Car Rentals Limited
Auror Limited
Avon Towing & Salvage Limited
Corporate Risks (1997) Limited
Ford Motor Company of New Zealand Limited
Hokitika Airport Limited
Holden NZ Limited
Honda New Zealand Limited
Mazda Motors New Zealand Limited
Mitsubishi Motors New Zealand Limited
Scope Investigations Limited
Supreme Towing Limited
Toyota New Zealand Limited
Trade Towage Limited
Waterstone Insolvency Limited

In particular we would be interested in your views as to:

- Whether or not the applicant should be granted access;
- The purposes specified for use of the information;
- If the applicant should be granted access, what conditions (if any) should be imposed on the applicant;
- The length of time the authorisation should be in force;
- Any other matter relating to the application or the applicant that you consider will inform the NZTA's consideration of the application.

Can you please provide your comments on these applications to S241@nzta.govt.nz by 19 May 2017.

Regards
Nicole

Nicole Rule / Senior Customer Access Representative

Customer Response Team

Phone 64 6 953 6200 ext **Secti**

E nicole.rule@nzta.govt.nz / w nzta.govt.nz

PALMERSTON NORTH OFFICE / 43 Ashley Street,
Private Bag 11777, Palmerston North 4442, New Zealand



Nicole Rule / Senior Customer Access Representative
Customer Response Team

Phone 64 6 953 6200 ext **Secti**

E nicole.rule@nzta.govt.nz / w nzta.govt.nz

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From: Section 9(2)(a)
Sent: Tuesday, 4 July 2017 4:14 PM
To: S241
Subject: RE: Application under Section 241 of Land Transport Act 1998

Hi Katie

Thanks for this information which is very helpful.

I note that NZTA has no concerns about any of the applicants and the approvals that are proposed to be made are to be in line with previous authorisations or on standard terms for similar categories of applicant.

In the circumstances, I confirm on behalf of the Chief Ombudsman, that there are no objections to the grant of authorisations as described.

Kind regards

Section 9(2)
(a)

Section 9(2)(a)

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Phone 04 473 9533 | Fax 04 471 2254

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From: S241 [mailto:S241@nzta.govt.nz]
Sent: Friday, 30 June 2017 2:52 p.m.
To: Section 9(2)(a)
Cc: S241
Subject: RE: Application under Section 241 of Land Transport Act 1998
Importance: High

Hi Section 9(2)(a)

My apologies for the further delay.

We have included Consumer Credit Management in the non-standard applications as we had misunderstood the nature of their business and they wish to carry on with their previous authorisation. We are working on a coversheet for the next batch of applications, for now I have put the required information in the table below for ease of review.

If possible can you please provide comment on the first application highlighted in red before 10.30am on Thursday 6th July? Otherwise our next panel meeting is July 18th where we will go over the rest in this list.

For your reference, standard terms for all groups are below;

Financial Service Providers (FSP) - <https://gazette.govt.nz/notice/id/2017-au1222>

Motor Vehicle Traders (MVT) - <https://gazette.govt.nz/notice/id/2017-au1223>

Fuel Suppliers (FS) - <https://gazette.govt.nz/notice/id/2017-au1221>

Applicant	Previous Authorisation	Compliance/Breaches	NZTA advice on T&C's	NZTA
Consumer Credit Management	https://gazette.govt.nz/notice/id/2011-go4041	One of very few Private investigators that were approved in the past – have no concerns or issues.	Happy for same conditions as previous authorisation	Applicant contact authorisation
Apex Car Rentals		No concerns	Possibly provide another authorisation for the insurance conditions	Applicant terms
Auror Limited		No concerns, actually may be better than approving each individual service station as training and security would be very consistent.	They appear to be a variant of private investigator, so full Standard terms for a fuel supplier are not really appropriate. Suggested terms “to assist in verifying registered person details in respect of a motor vehicle where the occupants fail to pay for goods or services obtained from a fuel supplier, where the authorised person has been requested to investigate either by fuel supplier or police”	Applicant
Avon Towing & Salvage Limited	https://gazette.govt.nz/notice/id/2012-go1188	No concerns	Our advice is that access for these applicants should be approved. As a tow operator, the applicants have a legitimate business need to contact the owners of impounded vehicles. Conditions of access to these applicants should be consistent with access granted to other tow operators. Before granting access to applicants in this category, we will consider whether applicants could achieve their purpose for access by working through the Police or another means.	Applicant as part of authorisation
Corporate Risks (1997) Limited	https://gazette.govt.nz/notice/id/2013-au4667	No concerns	Same as previous auth	Applicant as part of authorisation
Ford Motor Company of New Zealand Limited	https://gazette.govt.nz/notice/id/2011-go1907	No concerns	Can send to advising agencies advising we would look at rolling over existing terms as we intend to phase out marketing, and offer standard trader terms in addition.	Applicant Stationary Motor Vehicle

Hokitika Airport Limited	https://gazette.govt.nz/notice/id/2011-go7896	No concerns	Happy to approve in line with previous notice	App as p aut
Holden NZ Limited	https://gazette.govt.nz/notice/id/2011-go1909	No concerns	Grant under MVT standard terms including Wholesaler.	App Sta MV
Honda New Zealand Limited	https://gazette.govt.nz/notice/id/2011-go4221	No concerns	Some purposes fall outside of section 241, e.g. historical owner info. Can send to advising agencies advising we would look at rolling over existing terms as we intend to phase out marketing, and offer standard trader terms in addition.	App Sta MV
Mazda Motors New Zealand Limited	https://gazette.govt.nz/notice/id/2011-go1905	No concerns	Grant under MVT standard terms including Wholesaler. Marketing purpose to be discussed	App Sta MV
Mitsubishi Motors New Zealand Limited	https://gazette.govt.nz/notice/id/2011-go1907	No concerns	We would look at rolling over existing terms as we intend to phase out marketing, and offer standard trader terms in addition.	App Sta MV for whi cus per MV
Scope Investigations Limited	https://gazette.govt.nz/notice/id/2011-au4667	No concerns	Same as previous auth	App as p aut
Supreme Towing Limited	-	No concerns	We will look at approving them under terms consistent with other authorised tow companies.	App cre: terr con pro
Toyota New Zealand Limited	https://gazette.govt.nz/notice/id/2011-go1904	No concerns	We would look at rolling over existing terms as we intend to phase out marketing, and offer standard trader terms in addition.	App Sta MV
Trade Towing Limited	-	No concerns	Further down the line we may look at standard terms for towing companies and private car park operators.	App
Waterstone Insolvency Limited	-	No concerns	There was some confusion here, initially thought it was the same company as a prior authorisation under Waterstone Recovery. There is an existing authorisation under Damien Grant (trading as Waterstone	App

		Insolvency – see https://gazette.govt.nz/notice/id/2011-go7565 OK to send to advising agencies, we're looking at rolling over terms.
--	--	--

*we may look at approving a separate authorisation for up to 1 year for the current marketing purposes some of these customers have already had in the past with the view that it will not be given out any longer.

Thank you

Katie Hodson / Team Leader

Customer Response Team

P 06 9536200 ext **Section 9(2)(a)** / E katie.hodson@nzta.govt.nz / W nzta.govt.nz

PALMERSTON NORTH OFFICE / 43 Ashley Street,
Private Bag 11777, Palmerston North 4442, New Zealand



From: John Pohl [<mailto:John.Pohl@ombudsman.parliament.nz>]

Sent: Wednesday, 17 May 2017 9:54 a.m.

To: S241

Subject: FW: Application under Section 241 of Land Transport Act 1998

Hi Nicole

I do not appear to have received a response to my below email and would be grateful for your assistance.

Kind regards

Section 9(2)(a)

Section 9(2)(a)

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From: Section
Sent: Friday, 5 May 2017 3:55 p.m.
To: 'S241'; Section 9(2)(a)
Subject: RE: Application under Section 241 of Land Transport Act 1998

Hi Nicole

I refer to your request for comment on these applications. However, I note that in its letter of 9 September 2016, NZTA had stated that a covering letter would accompany applications covering certain aspects:

For example, we propose to attach a covering letter to any future application/s forwarded for your comment. That letter would identify:

- What are the Transport Agency's views on what uses seem appropriate?
- What are the Transport Agency's views on what terms and conditions of access are appropriate?
- How (if relevant) do these proposed uses relate to previous s241 approvals?
- Do we have any history of access breaches from this applicant, or any relevant concerns?
- What the Transport Agency's view is of the application (i.e. should it be granted or declined).

Effectively, the Transport Agency will be signalling its intention as an integral part of forwarding any applications for consultation. Please note that this will be an indication only - the decision maker within the Agency will apply independent consideration to each application.

We consider that this should enable NZ Police, Office of the Ombudsman Office of the Privacy Commissioner to better manage the level of resource they need to allocate to the consultation task.

I note that the bulk of the applicants have previously had access to the register, whether by grant or under a class authorisation, but it would be helpful if the Agency would nevertheless provide the information it indicated would accompany applications.

The general approach of the Chief Ombudsman would likely be in line with the view that if a grantee has complied with all terms and conditions of the earlier authorisation, is still carrying on the same business, and is seeking the same access as before, then the same reasons warranting the initial grant would appear to continue to apply.

Your advice on the applications would be appreciated.

Kind regards

Section 9(2)(a)

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Phone 04 473 9533 | Fax 04 471 2254

Email [Section 9\(2\)\(a\) \[REDACTED\]](mailto:Section 9(2)(a) [REDACTED]) | www.ombudsman.parliament.nz

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From: S241 [<mailto:S241@nzta.govt.nz>]

Sent: Friday, 28 April 2017 5:44 p.m.

To: Section 9(2)(a) [REDACTED]

Subject: Application under Section 241 of Land Transport Act 1998

Good evening

I attach for your comments applications for access to registered person names and address held on the Motor Vehicle Register.

Standard Terms Applications

Consumer Credit Management Limited Financial Service Provider

Non Standard Terms Applications

Apex Car Rentals Limited
Auror Limited
Avon Towing & Salvage Limited
Corporate Risks (1997) Limited
Ford Motor Company of New Zealand Limited
Hokitika Airport Limited
Holden NZ Limited
Honda New Zealand Limited
Mazda Motors New Zealand Limited
Mitsubishi Motors New Zealand Limited
Scope Investigations Limited
Supreme Towing Limited
Toyota New Zealand Limited
Trade Towage Limited
Waterstone Insolvency Limited

In particular we would be interested in your views as to:

- Whether or not the applicant should be granted access;
- The purposes specified for use of the information;
- If the applicant should be granted access, what conditions (if any) should be imposed on the applicant;
- The length of time the authorisation should be in force;
- Any other matter relating to the application or the applicant that you consider will inform the NZTA's consideration of the application.

Can you please provide your comments on these applications to S241@nzta.govt.nz by 19 May 2017.

Regards
Nicole

Nicole Rule / Senior Customer Access Representative
Customer Response Team

Phone 64 6 953 6200 ext **Sectio**

E nicole.rule@nzta.govt.nz / w nzta.govt.nz

PALMERSTON NORTH OFFICE / 43 Ashley Street,
Private Bag 11777, Palmerston North 4442, New Zealand



Nicole Rule / Senior Customer Access Representative
Customer Response Team

Phone 64 6 953 6200 ext **Secti**

E nicole.rule@nzta.govt.nz / w nzta.govt.nz

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Applicant	Previous Authorisation	Compliance/Breaches	NZTA advice on T&C's	NZTA View
Consumer Credit Management	https://gazette.govt.nz/notice/id/2011-go4041	One of very few Private investigators that were approved in the past – have no concerns or issues.	Happy for same conditions as previous authorisation	Approve on same conditions as last authorisation
Apex Car Rentals		No concerns	Possibly provide another authorisation for the insurance conditions	Approve standard terms for MVT.
Auror Limited		No concerns, actually may be better than approving each individual service station as training and security would be very consistent.	They appear to be a variant of private investigator, so full Standard terms for a fuel supplier are not really appropriate. Suggested terms "to assist in verifying registered person details in respect of a motor vehicle where the occupants fail to pay for goods or services obtained from a fuel supplier, where the authorised person has been requested to investigate either by fuel supplier or police"	Approve
Avon Towing & Salvage Limited	https://gazette.govt.nz/notice/id/2012-go1188	No concerns	Our advice is that access for these applicants should be approved. As a tow operator, the applicants have a legitimate business need to contact the owners of impounded vehicles. Conditions of access to these applicants should be consistent with access granted to other tow operators. Before granting access to applicants in this category, we will consider whether applicants could achieve their purpose for access by working through the Police or another means.	Approve on same as previous authorisation
Corporate Risks (1997) Limited	https://gazette.govt.nz/notice/id/2013-au4667	No concerns	Same as previous auth	Approve on same as previous authorisation

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Ford Motor Company of New Zealand Limited	https://gazette.govt.nz/notice/id/2011-go1907	No concerns	Can send to advising agencies advising we would look at rolling over existing terms as we intend to phase out marketing, and offer standard trader terms in addition.	Approve on Standard terms for MVT's*
Hokitika Airport Limited	https://gazette.govt.nz/notice/id/2011-go7896	No concerns	Happy to approve in line with previous notice	Approve on same as previous authorisation
Holden NZ Limited	https://gazette.govt.nz/notice/id/2011-go1909	No concerns	Grant under MVT standard terms including Wholesaler.	Approve on Standard terms for MVT's*
Honda New Zealand Limited	https://gazette.govt.nz/notice/id/2011-go4221	No concerns	Some purposes fall outside of section 241, e.g. historical owner info. Can send to advising agencies advising we would look at rolling over existing terms as we intend to phase out marketing, and offer standard trader terms in addition.	Approve on Standard terms for MVT's*
Mazda Motors New Zealand Limited	https://gazette.govt.nz/notice/id/2011-go1905	No concerns	Grant under MVT standard terms including Wholesaler. Marketing purpose to be discussed	Approve on Standard terms for MVT's*
Mitsubishi Motors New Zealand Limited	https://gazette.govt.nz/notice/id/2011-go1907	No concerns	We would look at rolling over existing terms as we intend to phase out marketing, and offer standard trader terms in addition.	Approve on Standard terms for MVT's* plus a form of marketing where they have customers permission to use MVR for marketing
Scope Investigati	https://gazette.govt.nz/notice/id/2013-au4667	No concerns	Same as previous auth	Approve on same as

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ons Limited				previous authorisation
Supreme Towing Limited	-	No concerns	We will look at approving them under terms consistent with other authorised tow companies.	Approve – possibly creating standard terms for tow companies/storage providers
Toyota New Zealand Limited	https://gazette.govt.nz/notice/id/2011-go1904	No concerns	We would look at rolling over existing terms as we intend to phase out marketing, and offer standard trader terms in addition.	Approve on Standard terms for MVT's*
Trade Towage Limited	-	No concerns	Further down the line we may look at standard terms for towing companies and private car park operators.	Approve
Waterstone Insolvency Limited	-	No concerns	There was some confusion here, initially thought it was the same company as a prior authorisation under Waterstone Recovery. There is an existing authorisation under Damien Grant (trading as Waterstone Insolvency – see https://gazette.govt.nz/notice/id/2011-go7565). OK to send to advising agencies, we're looking at rolling over terms.	Approve

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From: S241
Sent: Friday, 11 August 2017 11:53 AM
To: Section 9(2)(a)
Subject: Section 241 Application - Auror Limited
Attachments: Privacy Advice_Redacted.pdf; Ombudsman Advice.pdf; Police Advice.pdf; 11-48-19-653_09-08-2017.pdf

Good morning, Section and Section

Please find attached the draft decision on your application for authorised access and the comments from our Advising Agencies for your viewing.

If you wish to provide comment on the purposes, terms and conditions of your approval please reply to this email by 28 August 2017.

Thank you

Katie Hodson / Manager Customer Response

Customer Service Centre

P 06 9536200 ext Section / E katie.hodson@nzta.govt.nz / W nzta.govt.nz

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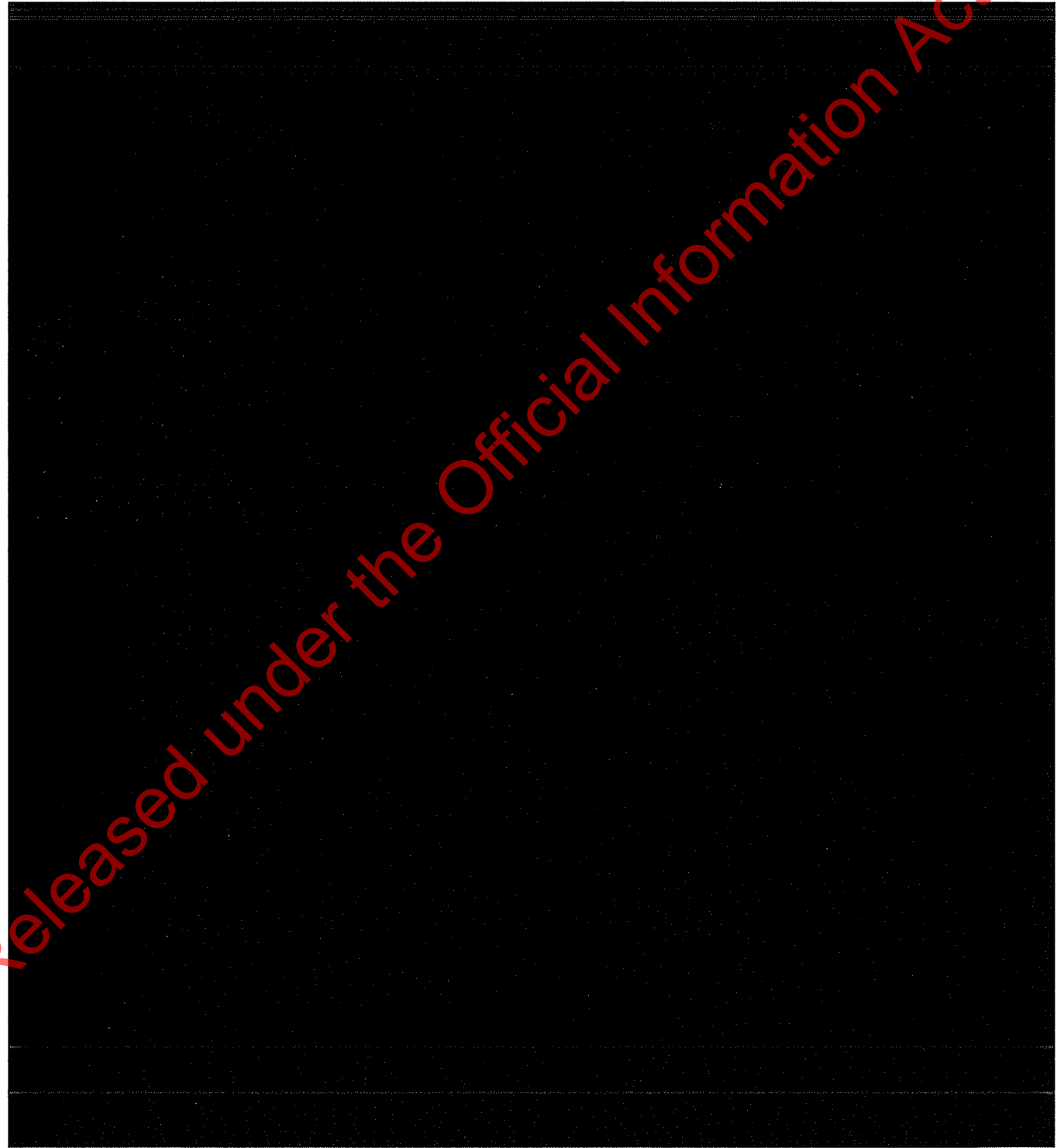
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Nicole Rule

From: [REDACTED]
Sent: Thursday, 11 May 2017 3:51 p.m.
To: S241
Cc: [REDACTED]
Subject: RE: Application under Section 241 of Land Transport Act 1998

Hello Nicole

Thank you for consulting with us on these Section 241 applications.



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The applicant seeks access to the MVR to enable it to provide a debt recovery service to fuel suppliers that have been subject to non-paying customer drive-off situations.

Our advice is that access should not be approved. The applicant already provides this service to fuel customers like Z Energy and Caltex without itself having access to the MVR. NZTA has a set of standard terms and conditions for access by Fuel Suppliers for the purpose of following up non-paying customers. Our preferred approach is to provide access to Fuel Suppliers in accordance with the standard terms and conditions. Providing access to a company that will have other debt recovery reasons to access the MVR increases the risk of inappropriate access to and use of personal information on the MVR

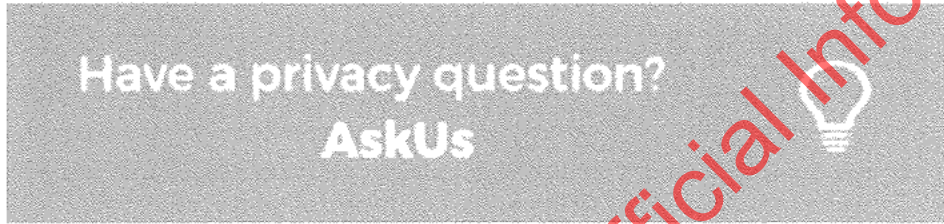
Please contact me if any matter is unclear and you want to discuss our responses further.



Regards

[Redacted]

[Redacted] **Section 9(2)(a)**

Office of the Privacy Commissioner Te Mana Matapono Matatapu
PO Box 10094, The Terrace, Wellington 6143
Level 8, 109 Featherston Street, Wellington, New Zealand
T [Redacted] DDI
E [Redacted]
www.privacy.org.nz



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From: S241 [mailto:S241@nzta.govt.nz]

Sent: Friday, 28 April 2017 5:44 p.m.

To: [Redacted]

Subject: Application under Section 241 of Land Transport Act 1998

Good evening

I attach for your comments applications for access to registered person names and address held on the Motor Vehicle Register.

[Redacted]

Non Standard Terms Applications

[Redacted]
Auror Limited
[Redacted]



In particular we would be interested in your views as to:

- Whether or not the applicant should be granted access;
- The purposes specified for use of the information;
- If the applicant should be granted access, what conditions (if any) should be imposed on the applicant;
- The length of time the authorisation should be in force;
- Any other matter relating to the application or the applicant that you consider will inform the NZTA's consideration of the application.

Can you please provide your comments on these applications to S241@nzta.govt.nz by 19 May 2017.

Regards
Nicole

Nicole Rule / Senior Customer Access Representative
Customer Response Team

Phone 64 6 953 6200 ext **Section**

E nicole.rule@nzta.govt.nz / w nzta.govt.nz

PALMERSTON NORTH OFFICE / 43 Ashley Street,
Private Bag 11777, Palmerston North 4442, New Zealand



Nicole Rule / Senior Customer Access Representative
Customer Response Team

Phone 64 6 953 6200 ext **Section**

E nicole.rule@nzta.govt.nz / w nzta.govt.nz

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Nicole Rule

From: [REDACTED]
Sent: Tuesday, 4 July 2017 4:14 p.m.
To: S241
Subject: RE: Application under Section 241 of Land Transport Act 1998

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Katie

Thanks for this information which is very helpful.

I note that NZTA has no concerns about any of the applicants and the approvals that are proposed to be made are to be in line with previous authorisations or on standard terms for similar categories of applicant.

In the circumstances, I confirm on behalf of the Chief Ombudsman, that there are no objections to the grant of authorisations as described.

Kind regards

[REDACTED]

[REDACTED]

Section 9(2)(a)

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Email [REDACTED] | www.ombudsman.parliament.nz
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From: S241 [mailto:S241@nzta.govt.nz]
Sent: Friday, 30 June 2017 2:52 p.m.
To: [REDACTED]
Cc: S241
Subject: RE: Application under Section 241 of Land Transport Act 1998
Importance: High

Hi [REDACTED]

My apologies for the further delay.

We have included Consumer Credit Management in the non-standard applications as we had misunderstood the nature of their business and they wish to carry on with their previous authorisation. We are working on a coversheet for the next batch of applications, for now I have put the required information in the table below for ease of review.

If possible can you please provide comment on the first application highlighted in red before 10.30am on Thursday 6th July? Otherwise our next panel meeting is July 18th where we will go over the rest in this list.

For your reference, standard terms for all groups are below;
Financial Service Providers (FSP) - <https://gazette.govt.nz/notice/id/2017-au1222>
Motor Vehicle Traders (MVT) - <https://gazette.govt.nz/notice/id/2017-au1223>
Fuel Suppliers (FS) - <https://gazette.govt.nz/notice/id/2017-au1221>

Applicant	Previous Authorisation	Compliance/Breaches	NZTA advice on T&C's	NZTA View
Auror Limited		No concerns, actually may be better than approving each individual service station as training and	They appear to be a variant of private investigator, so full Standard terms for a fuel supplier are not really appropriate. Suggested terms "to assist in verifying registered person details in respect of a motor vehicle where	Approve

security would be very consistent.

the occupants fail to pay for goods or services obtained from a fuel supplier, where the authorised person has been requested to investigate either by fuel supplier or police”

Released under the Official Information Act 1982

Thank you

Katie Hodson / Team Leader
Customer Response Team
P 06 9536200 ext 185 / E katie.hodson@nzta.govt.nz / W nzta.govt.nz

PALMERSTON NORTH OFFICE / 43 Ashley Street,
Private Bag 11777, Palmerston North 4442, New Zealand



From: [REDACTED]
Sent: Wednesday, 17 May 2017 9:54 a.m.
To: S241
Subject: FW: Application under Section 241 of Land Transport Act 1998

Hi Nicole

I do not appear to have received a response to my below email and would be grateful for your assistance.

Kind regards

[REDACTED]

[REDACTED]
Section 9(2)

Office of the Ombudsman | Tari o te Kaitiaki Mana Tangata

Phone [REDACTED] | Fax [REDACTED]
Email [REDACTED] | www.ombudsman.parliament.nz
PO Box 10152, Level 6, SolNet House, 70 The Terrace, Wellington

Ombudsman

Fairness for all

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From: [REDACTED]
Sent: Friday, 5 May 2017 3:55 p.m.
To: 'S241'; [REDACTED]
Subject: RE: Application under Section 241 of Land Transport Act 1998

Hi Nicole

I refer to your request for comment on these applications. However, I note that in its letter of 9 September 2016, NZTA had stated that a covering letter would accompany applications covering certain aspects:

For example, we propose to attach a covering letter to any future application/s forwarded for your comment. That letter would identify:

- What are the Transport Agency's views on what uses seem appropriate?
- What are the Transport Agency's views on what terms and conditions of access are appropriate?
- How (if relevant) do these proposed uses relate to previous s241 approvals?
- Do we have any history of access breaches from this applicant, or any relevant concerns?
- What the Transport Agency's view is of the application (i.e. should it be granted or declined).

Effectively, the Transport Agency will be signalling its intention as an integral part of forwarding any applications for consultation. Please note that this will be an indication only - the decision maker within the Agency will apply independent consideration to each application.

We consider that this should enable NZ Police, Office of the Ombudsman Office of the Privacy Commissioner to better manage the level of resource they need to allocate to the consultation task.

I note that the bulk of the applicants have previously had access to the register, whether by grant or under a class authorisation, but it would be helpful if the Agency would nevertheless provide the information it indicated would accompany applications.

The general approach of the Chief Ombudsman would likely be in line with the view that if a grantee has complied with all terms and conditions of the earlier authorisation, is still carrying on the same business, and is seeking the same access as before, then the same reasons warranting the initial grant would appear to continue to apply.

Your advice on the applications would be appreciated.

Kind regards

[Redacted]

Section 9(2)

Office of the Ombudsman | Tari o te Kaitiaki Mana Tangata

Phone [Redacted] | Fax [Redacted]
Email [Redacted] | www.ombudsman.parliament.nz
PO Box 10152, Level 6, SolNet House, 70 The Terrace, Wellington

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From: S241 [mailto:S241@nzta.govt.nz]
Sent: Friday, 28 April 2017 5:44 p.m.
To: [Redacted]
Subject: Application under Section 241 of Land Transport Act 1998

Good evening

I attach for your comments applications for access to registered person names and address held on the Motor Vehicle Register.

Standard Terms Applications
[Redacted]

Non Standard Terms Applications

[Redacted]
Auror Limited
[Redacted]
[Redacted]
[Redacted]

In particular we would be interested in your views as to:

- Whether or not the applicant should be granted access;
- The purposes specified for use of the information;
- If the applicant should be granted access, what conditions (if any) should be imposed on the applicant;
- The length of time the authorisation should be in force;
- Any other matter relating to the application or the applicant that you consider will inform the NZTA's consideration of the application.

Can you please provide your comments on these applications to S241@nzta.govt.nz by 19 May 2017.

Regards
Nicole

Nicole Rule / Senior Customer Access Representative
Customer Response Team

Phone 64 6 953 6200 ext. **Se**
E nicole.rule@nzta.govt.nz / W nzta.govt.nz

PALMERSTON NORTH OFFICE / 43 Ashley Street,
Private Bag 11777, Palmerston North 4442, New Zealand



Nicole Rule / Senior Customer Access Representative
Customer Response Team

Phone 64 6 953 6200 ext. **Sect**
E nicole.rule@nzta.govt.nz / W nzta.govt.nz

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5 July 2017

Nicole Rule
New Zealand Transport Agency
Private Bag 11777
PALMERSTON NORTH 4442

Dear Nicole

Section 241 - Applications for access to names and addresses on the Motor Vehicle Register made by the companies & organisations listed below:

Thank you for consulting with Police in relation to the following applications.

Applicant Name
[REDACTED]
Auror Ltd
[REDACTED]

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Police has no specific comments related to this batch of applicants, other than to make the following general observations:

1. Police's concern about any access to the Motor Vehicle Register is whether there is a risk that the information will be used for criminal purposes.
2. As well as the potential for the individual accessing the Register to misuse the information, Police is also concerned about the potential for a third party to obtain the information from the agency who has legitimate access.
3. Police therefore propose that any access granted has conditions to safeguard the appropriate use of the information:
 - adequate training of staff;
 - adequate security arrangements to prevent unauthorised access to the information;
 - non-disclosure of personal information to third parties except as necessary for the specified purpose;
 - a record of access to the Register should be maintained with the details of what information is sought, the reason for obtaining the information, the date and time of the access, and any disclosure of the information to a third party.
4. Police note that the comments made in this letter are general, and not intended to imply that Police approves or disapproves of these particular applicants or any employee of the applicant.

Thank you for the opportunity to comment on these applications.

Yours sincerely

Section 9(2)(a)

Section 9(2)(a)

Police National Headquarters

7 August 2017

Section 9(2)(a)

Auror Limited

Section 9(2)(a)

Dear Section

Application for authorisation under section 241 Land Transport Act 1998

You have applied under section 241 of the Land Transport Act 1998 (the Act) for authorisation to access the names and addresses of persons currently registered and held on the motor vehicle register (MVR).

You have sought authorisation for the following purpose-

- To follow up with the owners of vehicles that are involved in fuel theft.

This letter is to inform you of the draft decision on your application. It explains the process followed so far and the next steps before a final decision is made by the NZ Transport Agency.

As part of this process you have the opportunity to comment on the draft decision and, if you disagree with it or any part of it, to request that it be reconsidered in whole or in part.

The principles applied in reaching the draft decision are set out below. The advice we have received from the Privacy Commissioner, the Chief Ombudsman, and the Commissioner of Police (the advising agencies) is also attached.

Draft decision on your application

The draft decision is that Auror Limited be authorised under section 241 of the Act to access the MVR for the following purposes

- To assist in verifying the registered person details in respect of a motor vehicle that has been involved in fuel theft where Auror Limited has entered into a contract with a Fuel supplier instructing them to investigate fuel theft.

Please note that the names and addresses of individuals who have instructed the Transport Agency not to release their details (known as "opting-out") will not be released to you. If you wish to access names and addresses for any other purpose you will need to apply to the Transport Agency on a case by case basis.

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The authorisation (if granted) will be subject to the following conditions –

- (a) the personal information is accessed only by the applicant on its own behalf and solely for its own use;
- (b) the personal information is accessed only for the specified purpose(s);
- (c) the fees charged for the provision of the personal information from the MVR are duly paid;
- (d) any identified instances of unauthorised access are immediately notified to the NZ Transport Agency and Privacy Commissioner;
- (e) before being permitted to access the MVR under section 241 all staff must receive training that emphasises that such access must only be for the specified purposes; and refresher training also must be undertaken at appropriate intervals;
- (f) access must be restricted solely to members of staff for whom authorised access is essential to achieving a specified purpose;
- (g) the personal information obtained under this authorisation shall not be disclosed to any third party unless such disclosure is necessarily incidental to achieving a specified purpose;
- (h) if requested by the NZ Transport Agency, Auror Limited must provide records of queries for auditing purposes;
- (i) authorised access to names and addresses is permitted for Auror Limited only while contracted by a fuel supplier to investigate fuel theft;
- (j) compliance with the terms and conditions, if any, imposed by the Transport Agency for access to MVR information;

The authorisation is valid for a period of five years commencing on 31 August 2017 and ending at midnight on 30 August 2022.

Process for considering your application

These steps were followed before advising you of this draft decision–

- (a) Your application was considered and commented on by the advising agencies; and
- (b) The application and advice from the advising agencies were then considered by a panel of Ministry of Transport (MoT) and Transport Agency personnel (the panel) and a draft decision reached.

These further steps will be followed before a final decision is made–

- (a) Comment is sought from you on the draft decision;
- (b) Any response will be considered by the panel, may be referred back to the advising agencies for further comment, and a final decision letter prepared;
- (c) The final decision letter will be sent to you when the Transport Agency has approved or declined your application.

It is noted that an authorisation will not provide details of registered persons who have ‘opted-out’ under section 241(7)(b).

Principles applied in considering your application

In making a decision on your application the following principles were applied-

- (a) your intended use of the information. These are the "specified purposes" that you may be authorised to access information for;
- (b) whether access under section 241 is necessary for the intended use; or whether there are other means of access available to you;
- (c) whether your intended use is in the public interest and, if so, whether that outweighs the public interest in maintaining the privacy of personal information held on the MVR; and
- (d) Whether any conditions on access are necessary to mitigate privacy concerns.

Applying the principles to the facts of your application

So that you can see how these principles have been applied to your application we attach the advice we received from the advising agencies

Unless we have stated otherwise in this letter, we have agreed with the reasoning and recommendations contained in that advice as the basis of our decision. If we have departed materially from the advice we have noted this in this letter.

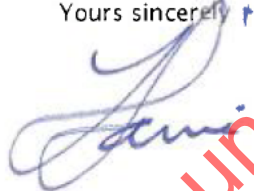
Commenting on the draft decision

If you would like to comment on this draft decision please do so in writing by 5pm on 28 August 2017. If we do not hear from you by this date a final decision letter will be sent to you.

Should you have any queries or wish to discuss matters further please contact:

Katie Hodson
NZ Transport Agency
Private Bag 11777
Palmerston North 4442
Email S241@nzta.govt.nz

Yours sincerely ↑



Fergus Gammie
Chief Executive

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From: Section 9(2)(a)
Sent: Friday, 4 August 2017 5:59 PM
To: S241
Subject: RE: Section 241 Application - Auror Limited

Follow Up Flag: Follow up
Flag Status: Completed

Hi Katie

Thanks for the email below.

Do you have any update for us? What are our login details?

Thanks for your help

Sectio

Section 9(2)(a)

Auror.

NEW ZEALAND
INNOVATION
AWARDS* 2016

WINNER
EMERGING NEW ZEALAND
INNOVATOR

rising star
Deloitte 2016 Fast 50
Regional Winner —
Auckland and Upper North Island

From: S241 [mailto:S241@nzta.govt.nz]
Sent: Wednesday, 12 July 2017 9:16 AM
To: Section 9(2)(a)
Subject: Section 241 Application - Auror Limited

Hi **Secti**

I've just left you a quick message about your Section 241 Application.

I had taken your application to a panel meeting last week after consulting with advising agencies (NZ Police, Office of the Privacy Commissioner and the Ombudsman). We are looking to approve your application on the basis that you will be 'contracted' by the fuel supplier to obtain the names/address on their behalf and be able to supply those records of the contract on request.

We have recently under an organisational transformation so are currently awaiting the delegation to sign out the authorisation to be given to an NZTA representative and then I will supply you with a draft approval for your review, this should be in the next 2-3 weeks. Once you receive the draft please read over it and reply to s241@nzta.govt.nz with any comments you have.

Thank you

Katie Hodson / Manager Customer Response

Customer Service Centre

P 06 9536200 ext **Sect** / E katie.hodson@nzta.govt.nz / W nzta.govt.nz

PALMERSTON NORTH OFFICE / 43 Ashley Street,
Private Bag 11777, Palmerston North 4442, New Zealand

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From: S241
Sent: Friday, 8 September 2017 9:55 AM
To: Section 9(2)(a)
Subject: Authorised access final decision
Attachments: 9-31-1-480_08-09-2017.pdf

Hello Section 9(2)()

Please find attached the final decision made on your application for authorised access to names and addresses in the Motor Vehicle Register. We will be publishing the authorisation in the next edition of the New Zealand Gazette on 14 September 2017. Please let us know if any further assistance is needed.

Regards

Matt Rush / Senior Customer Access Representative
Customer Service Centre
NZ Transport Agency

P 0800 108 809

E info@nzta.govt.nz / W nzta.govt.nz

Palmerston North Office
Private Bag 11777, Palmerston North 4442, New Zealand



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Section 9(2)(a)

Auror Limited

Section 9(2)(a)

Dear Section 9(2)(a)

Application for authorisation under section 241 Land Transport Act 1998

I refer to your application dated 28 March 2017 seeking an authorisation to access names and addresses held on the Motor Vehicle Register for the following purpose:

- to follow up with the owners of vehicles that are involved in fuel theft.

Under section 241(1) of the Land Transport Act 1998 (the Act), before making a decision I must consult the Privacy Commissioner, the Chief Ombudsman, and the Commissioner of Police. I have now done so.

I am pleased to grant Auror Limited an authorisation to access names and addresses for the following purposes ("specified purposes"):

- to assist in verifying the registered person details in respect of a motor vehicle that has been involved in fuel theft where Auror Limited has entered into a contract with a Fuel supplier instructing them to investigate fuel theft.

Please note that the names and addresses of individuals who have instructed the NZ Transport Agency (NZTA) not to release their details (known as opting out) will not be released to you under this authorisation.

If you wish to access names and addresses of individuals for any other purpose than that above or who have opted out you will need to apply to the NZTA on a case by case basis.

The authorisation is subject to the following conditions:

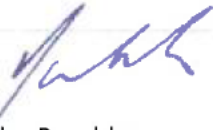
- (a) the personal information is accessed only by the applicant on its own behalf and solely for its own use;
- (b) the personal information is accessed only for the specified purpose(s);
- (c) the fees charged for the provision of the personal information from the MVR are duly paid;
- (d) any identified instances of unauthorised access are immediately notified to the NZ Transport Agency and Privacy Commissioner;
- (e) before being permitted to access the MVR under section 241 all staff must receive training that emphasises that such access must only be for the specified purposes; and refresher training also must be undertaken at appropriate intervals;
- (f) access must be restricted solely to members of staff for whom authorised access is essential to achieving a specified purpose;
- (g) the personal information obtained under this authorisation shall not be disclosed to any third party unless such disclosure is necessarily incidental to achieving a specified purpose;
- (h) transaction records must be kept for a period of 12 months from the date on which an enquiry was made. Those records need to show date, plate number, and the purpose. Those records are to be provided to the Transport Agency on request, to assist with any audit process; and
- (i) compliance with the terms and conditions, if any, imposed by the Transport Agency for access to MVR information.

The authorisation is valid for a period of 5 years commencing on 14 September 2017 and ending at midnight on 13 September 2022.

Failure to comply with any of the conditions stated above may result in cancellation of your access.

You should now contact the NZTA at pnmotochek.admin@nzta.govt.nz or your preferred Motor Vehicle Register information supplier as soon as possible to make the necessary arrangements for accessing the register.

Yours sincerely



Charles Ronaldson
General Manager Customer Design and Delivery

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From: S241
Sent: Friday, 8 September 2017 10:16 AM
To: 'gazette@dia.govt.nz'
Subject: Gazette notice for publishing
Attachments: 20170908 Auror Gazette.doc; 20170908 Auror Gazette.pdf

Hello

Please find attached the documents required for publishing a notice in the next edition. If possible, please send the invoice to apinvoices@nzta.govt.nz requesting to be coded to 80002019-601250.

Many thanks

Matt Rush / Senior Customer Access Representative

Customer Service Centre

NZ Transport Agency

P 0800 108 809

E info@nzta.govt.nz / W nzta.govt.nz

Palmerston North Office

Private Bag 11777, Palmerston North 4442, New Zealand

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Gazette Notice

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

Pursuant to section 241 of the Land Transport Act 1998 ("the Act"), I authorise the following person, for the purpose and the term, and on the conditions stated below, to have access to the names and addresses of persons:

- who are currently registered in respect of a motor vehicle(s) ; and
- who have not instructed the Registrar of Motor Vehicles to withhold their details.

Person: Auror Limited

Purpose(s):


- to assist in verifying the registered person details in respect of a motor vehicle that has been involved in fuel theft where Auror Limited has entered into a contract with a Fuel supplier instructing them to investigate fuel theft.

Term: 14 September 2017 until midnight 13 September 2022

Conditions

- (a) the personal information is accessed only by the applicant on its own behalf and solely for its own use;
- (b) the personal information is accessed only for the specified purpose(s);
- (c) the fees charged for the provision of the personal information from the MVR are duly paid;
- (d) any identified instances of unauthorised access are immediately notified to the NZ Transport Agency and Privacy Commissioner;
- (e) before being permitted to access the MVR under section 241 all staff must receive training that emphasises that such access must only be for the specified purposes; and refresher training also must be undertaken at appropriate intervals;
- (f) access must be restricted solely to members of staff for whom authorised access is essential to achieving a specified purpose;
- (g) the personal information obtained under this authorisation shall not be disclosed to any third party unless such disclosure is necessarily incidental to achieving a specified purpose;
- (h) transaction records must be kept for a period of 12 months from the date on which an enquiry was made. Those records need to show date, plate number, and the purpose. Those records are to be provided to the Transport Agency on request, to assist with any audit process; and
- (i) compliance with the terms and conditions, if any, imposed by the Transport Agency for access to MVR information.

Dated this 6th day of September 2017


Charles Ronaldson
General Manager Customer Design and Delivery
NZ Transport Agency

From: noreply@cwpgovt.nz
Sent: Tuesday, 12 September 2017 9:07 AM
To: S241
Subject: Gazette proof for notice: 2017-au4742
Attachments: 2017-au4742.pdf

IN CONFIDENCE

Please find attached your proof for publication on **Thursday 14 Sep 2017**.

Please check and confirm as soon as possible — the deadline is 10.00am on the Wednesday before publication. The notice will not be published until confirmed.

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- marking up the hard copy and returning a scan; or
- by itemising your changes in your return email (for minor changes).

Please contact us if you have any difficulties.

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New Zealand Gazette Te Kāhiti o Aotearoa

The Department of Internal Affairs Te Tari Taiwhenua

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Authorised Access to Certain Names and Addresses Held on the Motor Vehicle Register

Pursuant to section 241 of the Land Transport Act 1998 ("Act"), I authorise the following person, for the purpose and the term, and on the conditions stated below, to have access to the names and addresses of persons:

- who are currently registered in respect of a motor vehicle(s); and
- who have not instructed the Registrar of Motor Vehicles to withhold their details.

Person: Auror Limited

Purpose: To assist in verifying the registered person details in respect of a motor vehicle that has been involved in fuel theft where Auror Limited has entered into a contract with a fuel supplier instructing them to investigate fuel theft.

Term: 14 September 2017 until midnight 13 September 2022

Conditions

- a. The personal information is accessed only by the applicant on its own behalf and solely for its own use;
- b. the personal information is accessed only for the specified purpose(s);
- c. the fees charged for the provision of the personal information from the Motor Vehicle Register are duly paid;
- d. any identified instances of unauthorised access are immediately notified to the NZ Transport Agency and the Privacy Commissioner;
- e. before being permitted to access the Motor Vehicle Register, under section 241 of the Act, all staff must receive training that emphasises that such access must only be for the specified purposes, and refresher training must be undertaken at appropriate intervals;
- f. access must be restricted solely to members of staff for whom authorised access is essential to achieving the specified purpose;
- g. the personal information obtained under this authorisation shall not be disclosed to any third party unless such disclosure is necessarily incidental to achieving a specified purpose;
- h. transaction records must be kept for a period of 12 months from the date on which an enquiry was made. Those records need to show date, plate number, and the purpose. Those records are to be provided to the NZ Transport Agency on request, to assist with any audit process; and
- i. compliance with the terms and conditions, if any, imposed by the NZ Transport Agency for access to Motor Vehicle Register information.

Dated this 5th day of September 2017.

CHARLES RONALDSON, General Manager Customer Design and Delivery, NZ Transport Agency.

2017-au4742
