

Appendix H

Tables of Equivalent Provisions

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Some sections in the Privacy Act were modelled on sections in the Official Information Act 1982, Ombudsmen Act 1975 or Human Rights Commission Act 1977. Following the enactment of the Privacy Act similar provisions have been included in the Human Rights Act 1993 and the Health and Disability Commissioner Act 1994. The following tables identify the corresponding provisions. Where no equivalent provision exists a (-) is used. The local Government Official Information and Meetings Act 1987 is abbreviated to LGOIMA.

RIGHTS OF ACCESS AND CORRECTION		
Privacy Act	Official Information Act	LGOIMA
ipp6(1)	s.24	s.23
ipp6(1)(a)	–	–
ipp6(1)(b)	s.24(1)	s.23(1)
ipp6(2)	s.24(3A)	s.23(3)
ipp6(3)	–	–
ipp7(1)(a)	s.26(1)(a)	s.25(1)(a)
ipp7(1)(b)	s.26(1)(b)	s.25(1)(b)
ipp7(2)	–	–
ipp7(3)	–	–
ipp7(4)	–	–
ipp7(5)	s.26(2)	s.25(2)

SAVINGS		
Privacy Act	Official Information Act	LGOIMA
s.7(1)	s.52(3)(a)	s.44(2)(a)
s.7(2)(a)	s.52(3)(b)(i)	s.44(2)(b)(i)
s.7(2)(b)	s.52(3)(b)(ii)	s.44(2)(b)(ii)
s.7(3)(a)	s.52(3)(b)	s.44(2)(b)
s.7(3)(b)(i)	s.52(3)(b)(i)	s.44(2)(b)(i)
s.7(3)(b)(ii)	s.52(3)(b)(ii)	s.44(2)(b)(ii)
s.7(4)	–	–
s.7(5)	–	–
s.7(6)	–	–

REASONS FOR REFUSING ACCESS TO INFORMATION		
Privacy Act	Official Information Act	LGOIMA
s.27(1)(a)	ss.6(a), 27(1)(a)	–
s.27(1)(b)	ss.6(b), 27(1)(a)	–
s.27(1)(c)	ss.6(c), 27(1)(a)	ss.6(a), 26(1)(a)
s.27(1)(d)	ss.6(d), 27(1)(a)	ss.6(b), 26(1)(a)
s.27(2)(a)	ss.7(a), 27(1)(a)	–
s.27(2)(b)	ss.7(b), 27(1)(a)	–
s.27(2)(c)	ss.7(c), 27(1)(a)	–
s.28(1)(a)	ss.9(2)(b)(i), 27(1)(a)	ss.7(2)(b)(i), 26(1)(a)
s.28(1)(b)	ss.9(2)(b)(ii), 27(1)(a)	ss.7(2)(b)(ii), 26(1)(a)
s.28(2)	s.9(1)	s.7(1)
s.29(1)(a)	s.27(1)(b)	s.26(1)(b)
s.29(1)(b)	s.27(1)(c)	s.26(1)(c)
s.29(1)(c)	s.27(1)(d)(repealed)	s.26(1)(d)(repealed)
s.29(1)(d)	s.27(1)(e)(repealed)	s.26(1)(e)(repealed)
s.29(1)(e)	s.27(1)(f)(i)(repealed)	s.26(1)(f)(repealed)
s.29(1)(f)	s.27(1)(g)	s.26(1)(g)
s.29(1)(g)	cf.s.9(2)(ba)(i)	cf.s.7(2)(c)
s.29(1)(h)	–	–
s.29(1)(i)	s.18(c)(ii), cf.s.52(1)	s.17(c)(ii), cf.s.44(1)
s.29(1)(j)	s.27(1)(h)	s.26(1)(h)
s.29(2)(a)	cf.ss.18(f), 24(1)(b)	cf.ss.17(f), 23(1)(b)
s.29(2)(b)	s.18(e)	s.17(e)
s.29(2)(c)	s.18(g)	s.17(g)
s.29(3)	s.27(2)	s.26(3)
s.30	s.27(1A)	s.26(2)
s.31	s.27A(repealed)	–
s.32	s.10	s.8

PROCEDURAL PROVISIONS RELATING TO ACCESS TO AND CORRECTION OF INFORMATION		
Privacy Act	Official Information Act	LGOIMA
s.33	–	–
s.34	cf.s.24(2)	cf.s.23(1A)
s.35(1)	cf.s.15(1A)	cf.s.13(1A)
s.35(2)	–	–
s.35(3)	cf.s.15(1A)	cf.s.13(1A)
s.35(4)	–	–
s.35(5)	s.15(2)	s.13(3)
s.35(6)	–	–
s.36	–	–
s.37	s.12(3)	s.10(3)
s.38	s.13	s.11
s.39	s.14	s.12
s.40(1)	s.15(1)	s.13(1)
s.40(2)	s.15(3)	s.13(4)
s.40(3)	s.15(4)	s.13(5)
s.40(4)	s.15(5)	s.13(6)
s.41	s.15A	s.14
s.42	s.16	s.15
s.43	s.17	s.16
s.44	s.19	s.18
s.45	s.25	s.24

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COMPLAINTS AND INVESTIGATIONS			
Privacy Act	Ombudsmen Act	Human Rights Act	Health and Disability Commissioner Act
s.67	–	cf.ss.13, 75	s.31
s.68	s.16	–	s.32
s.69	cf.s.13	s.75	s.35
s.70	cf.s.17(3)	cf.s.76(3)	s.36
s.71	cf.s.17	s.76	s.37
s.72	s.17A	–	s.40
s.73	s.18(1)	s.78	s.41
s.74	–	s.81	cf.s.42
s.75	s.24	s.79	s.43
s.76	–	s.80	cf.s.61
s.77	cf.s.22	cf.ss.81, 82	s.45
s.78	–	–	–
s.79	–	–	–
s.80	s.18(6)	–	s.48
s.81	–	–	–
s.82	–	s.83	s.50
s.83	–	s.83(4)	s.51
s.84	–	s.86(1)	s.52
s.85	–	s.86	s.54
s.86	–	s.84	s.55
s.87	–	s.85	s.56
s.88	–	s.88	s.57
s.89	–	–	s.58

PROCEEDINGS			
Privacy Act	Ombudsmen Act	Official Information Act	LGOIMA
s.90	cf.s.18(2), (3), (7)	–	–
s.91	cf.s.19(1), (2), (8)	–	–
s.92(1)	–	ss.29A(1), 35(1A)	ss.29(1), 38(2)
s.92(2)	–	ss.29A(1), 35(1A)	ss.29(1), 38(2)
s.92(3)	–	ss.29A(6), 35(1A)	ss.29(1), 38(2)
s.93(1)	–	ss.29A(2), 35(1A)	ss.29(2), 38(2)
s.93(2)	–	ss.29A(3), 35(1A)	ss.29(3), 38(2)
s.93(3)	–	ss.29A(4), 35(1A)	ss.29(4), 38(2)
s.93(4)	–	ss.29A(5), 35(1A)	ss.29(5), 38(2)
s.94(1)	s.19(5)	–	–
s.94(1A)	s.19(5A)	–	–
s.94(1B)	s.19(5B)	–	–
s.94(2)	s.19(7)	–	–
s.95(1)	s.19(3)	–	–
s.95(2)	s.19(4)	–	–
s.95(3)	s.20(1)	–	–
s.96	s.26	–	–

MISCELLANEOUS PROVISIONS			
Privacy Act	Ombudsmen Act	Official Information Act	LGOIMA
s.115	–	s.48	s.41
s.116	s.21	–	–
s.117	s.21A	cf.s.29B	cf.s.29A
s.118	–	–	–
s.119	–	s.11	s.9
s.120	–	ss.30(3), 35(6)	ss.30(2), 38(6)
s.121	s.28	–	–
s.122	s.28(6)	–	–
s.123	s.28(3), (4)	–	–
s.124	–	–	s.42
s.125	–	–	s.43
s.126	–	–	–
s.127	s.30	–	–
s.128(a)	–	s.47(c)	–
s.128(b)	–	s.47(e)	s.55(c)