



Report on amendment to approved information sharing agreement between DIA and IR: passport contact information

A report by the Privacy Commissioner to
the Minister of Revenue under section
96P of the Privacy Act 1993.

July 2014

This is my report on the amended Approved Information Sharing Agreement (AISA) between Inland Revenue (IR) and the Department of Internal Affairs (DIA) for the supply of passport contact information. The AISA authorises DIA to provide IR with the contact details provided by individuals in their passport application so that IR can contact overseas-based student loan borrowers, and overseas-based people who are liable for child support.

My conclusion

I am satisfied that the amended information sharing agreement with DIA continues to meet the requirements set out in Part 9A of the Privacy Act, and in particular those set out in section 96N.

Background

The current AISA between IR and DIA came into force in October 2013 and covers information sharing for borrowers in default, not those who are up to date with payments. IR wanted to receive the contact details of all overseas-based student loan borrowers. However, Marie Shroff, the Privacy Commissioner at the time considered that this was inappropriate.

To enable IR to fully implement its policy intentions, Cabinet agreed to expressly permit IR to receive contact details for borrowers from a third party, regardless of whether the borrower is in default on their loan. The Student Loan Scheme Act 2011 was subsequently amended to allow for this.

Including borrowers who are up to date with payments into the AISA was a substantial change to the information sharing agreement. Section 96V requires that any proposed amendment that is likely to have an effect on the privacy implications of the agreement must go through the Order in Council process. The Privacy (Information Sharing Agreement between Inland Revenue and Internal Affairs) Order 2014 was approved by Order in Council on 30 June 2014 enabling IR and DIA to implement the new agreement from 11 August 2014.

Assessment

The amended agreement enables IR to contact student loan borrowers where the contact details it holds differ to those provided by the borrower in their passport application form. The contact enables IR to confirm the borrowers' preferred contact point and to offer relevant information to the borrower. No adverse action will be taken as a result of this interaction with the borrower.

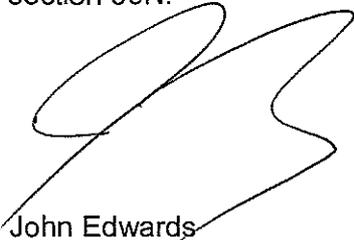
The privacy impacts of the changes are not significant:

- the amount of information passed from DIA to IR remains the same
- IR already receives the extra information from DIA but does not currently act on it

- the safeguards and procedures used to confirm the identity of the individual also remain the same
- a technical change regarding the retention of data does not materially weaken the safeguard as passport information will continue to be destroyed in a reasonable timeframe.

I am satisfied that the consultation undertaken by IR in relation to the amended agreement has been adequate. The reporting requirements for the amended agreement are still subject to discussions between my office and IR.

I am satisfied that the amended information sharing agreement with DIA continues to meet the requirements set out in Part 9A of the Privacy Act, and in particular those set out in section 96N.

A handwritten signature in black ink, appearing to be 'John Edwards', written over a horizontal line.

John Edwards
Privacy Commissioner