

## Revocation and Replacement of the Health Information Privacy Code under the Privacy Act 2020

### Information Paper

This information paper assists those wishing to make a submission on the revocation of the Health Information Privacy Code 1994 and its replacement under the Privacy Act 2020.

The replacement code forms part of a wider project to update the existing codes of practice issued under the Privacy Act 1993 to ensure they reflect the new Act. More information about the project and the key changes made across the codes [can be found here](#).

This paper sets out the proposed changes made to the Health Information Privacy Code.

These updates are not intended to enact policy changes, aside from those implemented in the Privacy Act 2020. In summary, the key updates to this code are:

- Updating clause 5 so it includes new information privacy principle 12 relating to cross-border disclosures and other substantive and technical amendments made to the information privacy principles in the new Act;
- Updating clause numbering where previous amendments to the 1994 code has led to such numbering being out of sequence;
- Removal of section notes and square brackets relating to previous amendments;
- Decapitalisation of some words, such as “code of practice” and “rule”.

The proposed code broadly has retained the ordering of subrules in the 1994 code, including where that order differs from the information privacy principles in the Act.

A copy of the proposed code, which sets out the changes in bold and with commentary, is also on our website and should be read alongside this information paper.

#### Submissions

Address submissions to Office of the Privacy Commissioner at [privacy.code@privacy.org.nz](mailto:privacy.code@privacy.org.nz). (If you do not have access to email, submissions may be posted to Codes Reissue Submissions, Office of the Privacy Commissioner, PO Box 466, Auckland 1140.) Please let us know if you would like to speak to your submissions in person or via video link.

Deadline: **12 August 2020**

Submissions may be made public by the Privacy Commissioner or released under the Official Information Act.

Enquiries: telephone Linda Williams on 09 302 8658.

**15 July 2020**