

Review of statutory authorities for information matching

Report by the Privacy Commissioner to
the Minister of Justice pursuant to section
106 of the Privacy Act 1993 in relation to a
review of the operation of the:

- NZTA/EEC Unenrolled Voters
- MOT/EEC Unenrolled Voters
- MSD/EEC Unenrolled Voters
- Citizenship/EEC Unenrolled Voters

August 2011

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Abbreviations and acronyms

The main abbreviations and acronyms used in this report are:

EEC – Electoral Enrolment Centre
NZTA – New Zealand Transport Agency [formerly Land Transport New Zealand]
MoT – Ministry of Transport
MSD – Ministry of Social Development

1. Executive Summary

Section 106 of the Privacy Act 1993 (“the Act”) requires the Privacy Commissioner to carry out periodic reviews of the operation of each information matching provision and to consider whether:

- the authority conferred by each provision should be continued
- any amendments to the provision are necessary or desirable.

In this report we assess the ongoing value and suitability of four matches that are run by the Electoral Enrolment Centre (EEC). EEC maintains the electoral rolls used for central and local government elections, and for jury selection.

In addition to other activities designed to encourage people to enrol and to keep address information current, EEC conducts a set of four information matches to identify people who are eligible to vote but who are not enrolled on the electoral roll (“unenrolled voters”). These matches use:

- driver licence information from the New Zealand Transport Authority (NZTA)
- motor vehicle registration information from the Ministry of Transport (MoT)
- beneficiary and student information from the Ministry of Social Development (MSD)
- citizenship information from the Department of Internal Affairs (“Citizenship”).

The four matches are run sequentially in a single programme of matches. The purpose of the programme is to invite people to enrol and to update details of existing electors. The programme is generally run two to four times a year, to spread the workload and to have the rolls as up-to-date as possible for general elections.

A further match to identify unenrolled voters using passport data has been passed in the Electoral (Administration) Amendment Bill (No 2), which was assented to on 16 August 2011.

EEC also runs a separate match with information from Immigration New Zealand (reviewed in a previous report released April 2011) to identify people who have been added to the electoral rolls but who are not eligible to vote.

We conclude that the unenrolled voters matches are a cost-effective method of adding people to the electoral roll and updating addresses. There is little risk to privacy as:

- EEC is only supplied with records that might identify new electors (e.g. aged 17 or over) or changes of address
- records that are ‘locked’ for any reason are not provided to EEC
- the information is confirmed with the individual, using the most recent address
- the matches have been run with no problems identified in our oversight of these matches.

We recommend that these matches continue.

2 EEC enrolment programmes

2.1 Information matches to encourage enrolling

EEC conducts a set of four information matches to identify people who are eligible to vote but who are not enrolled on the electoral roll (“unenrolled voters”). These use:

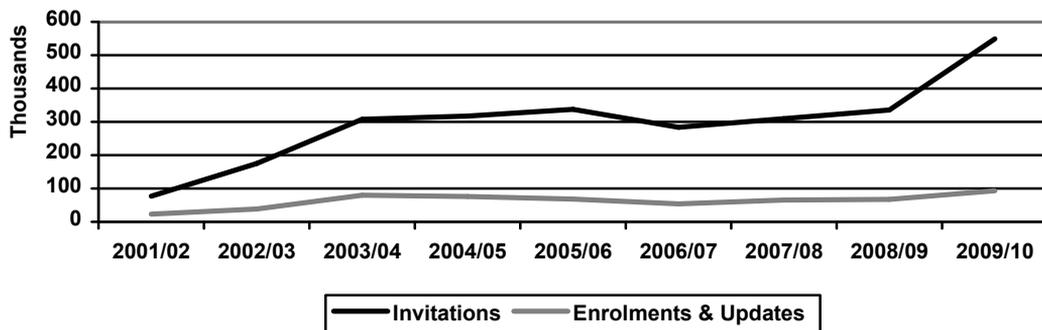
- driver licence information from the New Zealand Transport Authority (NZTA)
- motor vehicle registration information from the Ministry of Transport (MoT)
- beneficiary and student information from the Ministry of Social Development (MSD)
- citizenship information from the Department of Internal Affairs (“Citizenship”).

The four matches are run sequentially in a single programme of matches. The programme is generally run two to four times a year, to spread the workload and to have the rolls as up-to-date as possible for general elections. The operation of this programme is outlined in section 2.3 below.

2.2 Information matching programme overall results

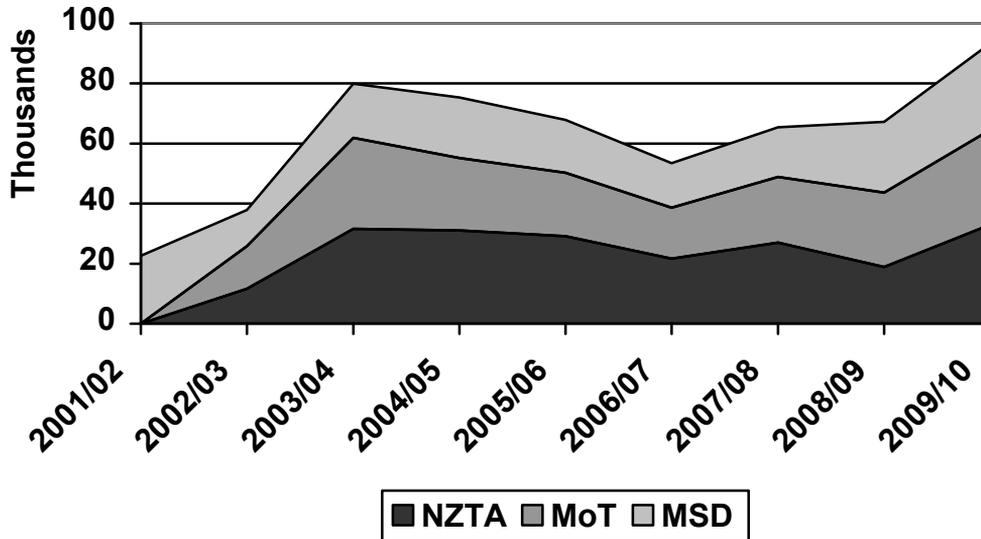
The results of the information matches have been reasonably consistent over the years. This is reflected in the number of invitations to enrol to vote, and the responses received by EEC resulting in new or updated enrolments. Also the proportional contribution from each match to the overall programme has also been reasonably consistent over time.

Invitations, and new enrolments and updates



The low numbers at the start of the programme reflect the staggered start-up. Two of the matches were started in the first half of 2002, and the programme was fully active in 2002/03. The surge in invitations delivered in 2009/10 results in part from the use of 14 months’ worth of data (meaning fewer records were processed in the preceding year) and the impact of a data-cleaning exercise the NZTA conducted (see the NZTA/EEC Unenrolled Voters Match section). We will review the 2010/11 results to see if 2009/10 signalled a change in the efficiency of the matching programme.

New enrolments or updates, showing contribution from each match



The contribution of the Citizenship match is omitted from this graph because the small volumes do not show clearly on the scale. Interpretation of the graph is also affected by the order the matches are processed in, as described in section 2.3 below. The results are only counted towards the first match to identify the person. This means that if a new voter or a change in voter details is identified from the NZTA match, then those individuals are only counted towards the total for that match even if they are also subsequently identified in another match. So someone identified by the Citizenship match is only counted towards the Citizenship match total if they have not already been identified by a preceding match.

EEC Unenrolled Voters Programme 2003 – 2010 (all four matches)

	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10
Match runs	1	2	2	2	2	2	3	4	5
Records compared	914,186	1,498,076	2,155,302	1,902,357	2,682,058	2,212,237	2,234,892	2,827,005	4,656,315
Invitations sent out	80,394	186,595	331,518	337,238	354,893	296,338	309,861	335,259	548,838
Presumed delivered	76,758	174,608	308,164	317,651	337,077	283,605	295,431	322,074	523,033
Enrolments (new & updated)	23,227	38,299	80,286	75,912	68,252	53,693	65,760	67,533	93,511
Enrolments from letters delivered	30.3%	22%	26%	24%	20%	19%	22%	21%	18%
No response	53,360	135,395	226,989	241,250	268,246	229,498	229,573	253,911	429,522
Costs	\$110,739	\$204,010	\$232,606	\$230,649	\$249,983	\$216,975	\$205,642	\$236,190	\$349,502
Average cost per enrolment/update	\$4.77	\$5.33	\$2.90	\$3.04	\$3.66	\$4.04	\$3.13	\$3.50	\$3.74

[All \$ figures are actual figures for the year stated. There has been no attempt to adjust the \$ figures to a consistent basis.]

The majority of the cost of this enrolment programme is incurred in postal charges when sending out the invitations to enrol. Comparing the average cost per enrolment or update from information matching with the average cost of all approaches (given in section 2.4

below) demonstrates information matches are consistently cheaper than other proactive enrolment measures.

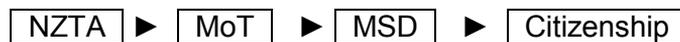
2.3 Operation of the information matching programme

EEC operates a set of four matches designed to identify people who are eligible to vote but who are not on the electoral roll (or whose enrolment details need updating). Individuals who are 17 years old are invited to enrol provisionally, in anticipation of when they turn 18.

The four matches are:

- NZTA/EEC Unenrolled Voters Programme
- MoT/EEC Unenrolled Voters Programme
- MSD/EEC Unenrolled Voters Programme
- Citizenship/EEC Unenrolled Voters Programme.

The four matches are processed together to identify the most recent information from any of the sources and to avoid duplication where people are identified from more than one source.



The source agency creates an extract from its records consisting of:

- (a) the person's full name
- (b) the person's date of birth
- (c) the person's residential address (if known)
- (d) the person's postal address (if known and if different from residential address)
- (e) the person's preferred honorific (if known)
- (f) the date at which the record was last updated.

The file is collected in person by EEC staff on an encrypted CD.

EEC matches each extract with the electoral database on the basis of surname, given name/s and date of birth. The match looks for records for which EEC has no corresponding record, or where the source agency's information has been updated more recently than EEC's (as these could indicate a change of address). Random samples of 'possibly matched' records are examined manually to establish whether or not they should be regarded as matched. This review also allows EEC to assess the efficiency of its matching.

Before sending an invitation to enrol EEC performs two checks. The first check is against the Department of Internal Affairs Deaths Register to make sure the person has not died. The second check is to make sure it does not send more than one letter to the same person.

If no response to the invitation is received then EEC takes no further action.

2.4 Other approaches for enrolling

EEC also uses other approaches to collate complete and accurate rolls. These include:

- NZ Post redirection forms
- new enrolments from electors
- special campaigns.

Face-to-face and door-knocking in the 2008 enrolment encouragement campaign cost approximately \$8.03 per valid enrolment. This approach is more expensive than information matching.

Average cost over recent electoral cycle periods [source: "Electoral Enrolment Centre Report on the 2008 Enrolment Programme and General Election"]

3-Year period	Average Cost / Elector
1994-1996	\$6.12
1997-1999	\$5.44
2000-2002	\$5.41
2003-2005	\$5.35
2006-2008	\$5.80

These average figures, which include the information matching activity, are consistently higher than the costs incurred through the information matching programme (see section 2.2 above). Therefore, we conclude that the information matching programme is a cost-effective method of maintaining the electoral rolls.

2.5 Changes to the operation

In September 2003, EEC changed to a new computer system. This incorporates a residential address database that allows EEC to check addresses and eliminate apparent matches where an individual has simply provided a business contact address rather than their home address. The change took effect for the second of the two match runs operated in the 2003/04 reporting period.

In 2004/05 EEC extended the upper age range of those being matched from 65 to 75. It also implemented a database of rest homes in New Zealand. Electors highlighted as living in a rest homes were not written to. All rest homes were visited by local Registrars of Electors prior to any major electoral event to enrol those not appearing on the roll or update electors' details.

2.6 Programme authorisation

The programme of matches was authorised in 2002 by inserting section 263B into the Electoral Act 1993. This authorised the four source agencies to supply specific information from their databases, as described for each match above. The section also specifies the purposes for which EEC can use the information. These are:

- “(a) identifying persons who are qualified to apply to register as an elector but who have not yet registered; and
- (b) encouraging those persons identified to register as an elector; and
- (c) updating and ensuring the accuracy of the particulars of persons whose names are on the roll”.

This approach was based upon a recommendation put forward after the 1996 election, which proposed that the Department of Internal Affairs provide information (the name, address, date of birth and date of arrival in New Zealand for each new citizen 17 years and older) to the Chief Registrar of Electors after citizenship ceremonies. The other matches were subsequently added to the proposal.

An additional match of passport data has been proposed. This proposal is included in the Electoral (Administration) Amendment Bill (No 2), which was reported back from the Justice and Electoral Committee on 13 April 2011.

3. NZTA/EEC Unenrolled Voters Match

(Electoral Act 1993, s. 263B(3)(c))

3.1 Match objective

The purpose of this match is to compare the driver licence register with the electoral roll to:

- identify people who are qualified to vote but have not enrolled, so that they may be invited to enrol
- update the addresses of people whose names are already on the roll.

3.2 Recommendation

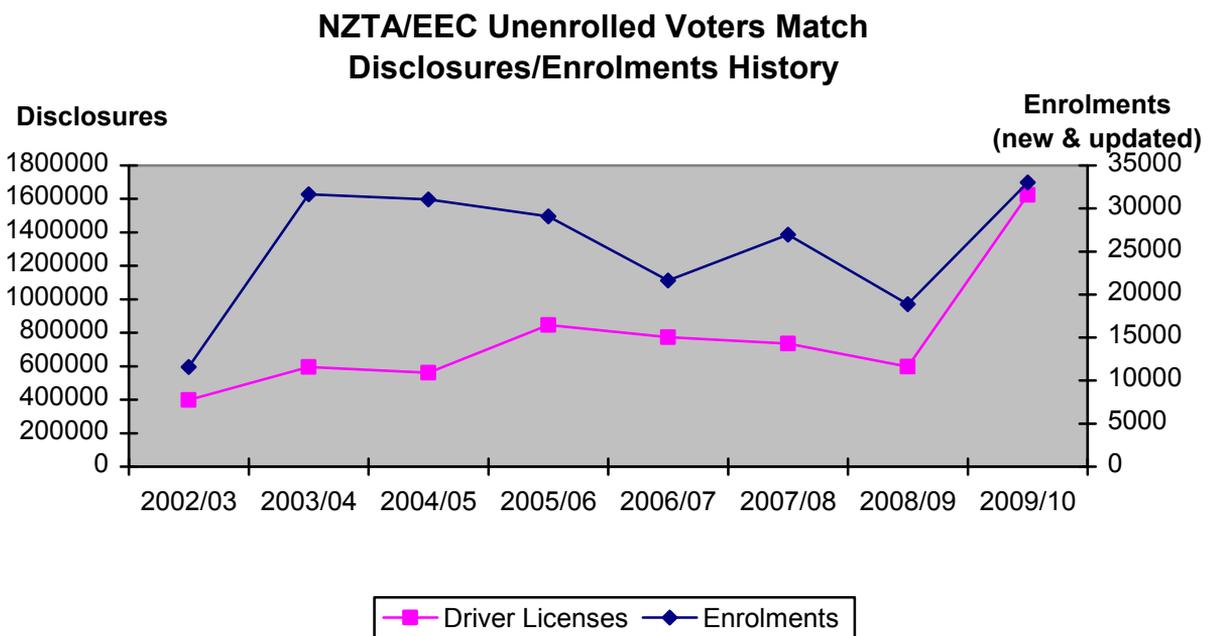
We recommend that this match continue and have no suggested amendments to its operation.

3.3 Match assessment

The match is assessed against the criteria in section 98 of the Privacy Act 1993. In particular, we consider that:

- This match is a cost-effective method of adding people to the electoral roll and updating addresses.
- Although four agencies provide information to EEC for this programme, each agency's contribution enables EEC to contact people who would not otherwise have been reached.
- The amount of personal information being disclosed is minimised. NZTA only supplies records that might identify new electors (e.g. aged 17 or over) or changes of address. Records that are 'locked' for any reason are not provided to EEC.
- The match has been operated in a manner consistent with the information matching controls in the Privacy Act. In particular, adequate security measures, including encryption, are used to transfer the data, and the information is confirmed with the individual, using the most recent address, before being included in the roll.

3.4 Match results



EEC chooses when to request the data and how long a period each request covers. This

affects the number of disclosures recorded in particular years. The increase from 2002/03 to 2003/04, drop in 2008/09 and surge in 2009/10 reflects this.

Part-way through 2004/05 the age range of individuals matched was extended to include those aged 66-75. This change does not appear to have had an impact on the match. EEC advises that enrolment rates of 96% and 94% apply for the two age bands in the 66-75 range.

The rise in new and updated enrolments in 2009/10 may reflect the impact of a data-cleaning exercise NZTA had conducted. This may have resulted in cleaner address information being received.

3.5 Match operation

The operation of this match is described in the overview of processing in Section 2.3. There are three additional details specific to this match.

The NZTA data is the first of the four extracts to be used by EEC in the matching programme, as described in the overview of processing in section 2.3.

NZTA extracts from the driver licence register information on people over 17 years of age who have had activity (such as a new licence or change of address) on their record during the period requested by EEC. Those who have requested that their records be kept confidential are excluded from the extract by NZTA.

This match has previously been reported as the "LTNZ/EEC Unenrolled Voters Match" as the Land Transport New Zealand became the New Zealand Transport Agency from 1 August 2008.

3.6 Match authorisation

All four matches were authorised in 2002 by an amendment to the Electoral Act 1993, as described in the programme authorisation overview in section 2.6. The statutory authority for this particular match is Electoral Act 1993, s. 263B(3)(c).

4. MoT/EEC Unenrolled Voters Match

(Electoral Act 1993, s. 263B(3)(b))

4.1 Match objective

The purpose of this match is to compare the motor vehicle register with the electoral roll to:

- identify people who are qualified to vote but have not enrolled, so that they may be invited to enrol
- update the addresses of people whose names are already on the roll.

4.2 Recommendation

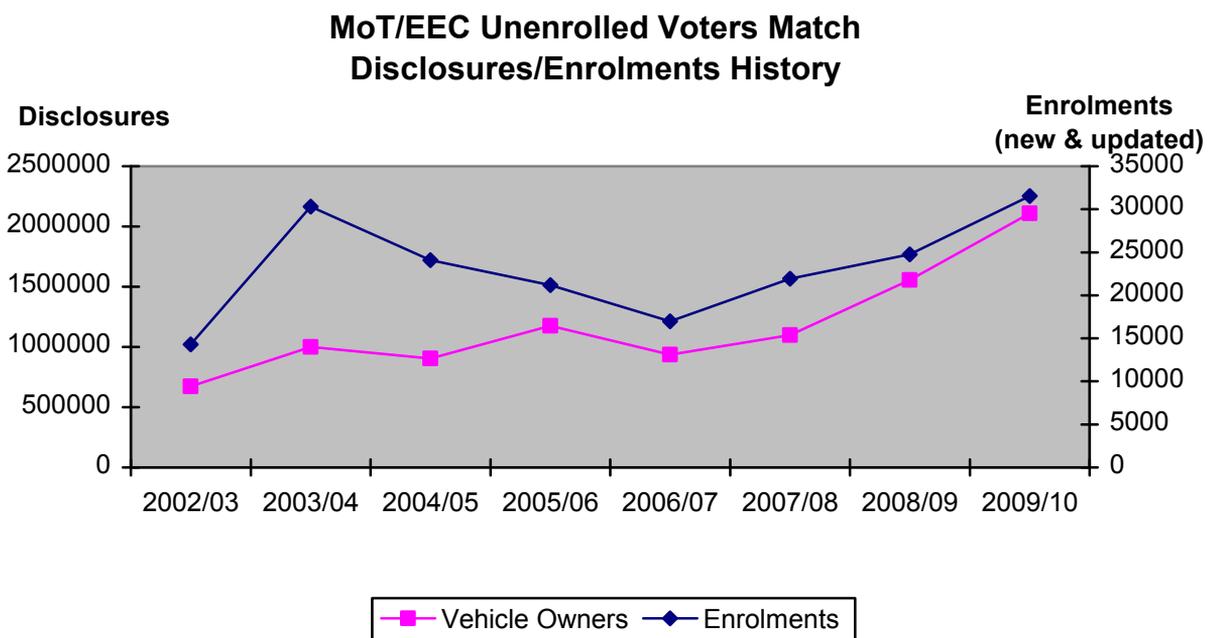
We recommend that this match continue and have no suggested amendments to its operation.

4.3 Match assessment

The match is assessed against the criteria in section 98 of the Privacy Act 1993. In particular, we consider that:

- This match is a cost-effective method of adding people to the electoral roll and updating addresses.
- Although four agencies provide information to EEC for this programme, each agency's contribution enables EEC to contact people who would not otherwise have been reached.
- The amount of personal information being disclosed is minimised. NZTA only supplies records that might identify new electors (e.g. aged 17 or over) or changes of address. Records that are 'locked' for any reason are not provided to EEC.
- The match has been operated in a manner consistent with the information matching controls in the Privacy Act. In particular, adequate security measures, including encryption, are used to transfer the data, and the information is confirmed with the individual, using the most recent address, before being included in the roll.

4.4 Match results



The number of disclosures varies between years primarily due to when EEC chooses to request data and how long a period each request covers. EEC processed 14 months' worth

of records in 2009/10. This may be why 2008/09 appears to be below the trend of recent years.

EEC advises that the implementation of a new computer system in 2003/04 resulted in the difference in the relationship between disclosures and enrolments in that period.

Part-way through 2004/05 the age range of individuals matched was extended to include individuals aged 66-75. This change does not appear to have had an impact on the match. EEC advises that enrolment rates of 96% and 94% apply for the two age bands in the 66-75 range.

4.5 Match operation

The operation of this match is described in the overview of processing in Section 2.3. There are two additional details specific to this match.

The MoT data is the second of the four extracts to be used by EEC in the matching programme, as described in the overview of processing in Section 2.3. Being the second extract used by ECC means that any person who has also been identified by the previous match will not be counted as being identified by this match.

MoT extracts from the motor vehicle registrations database information on people (17 years or older) who registered a vehicle or updated their details in the period specified in the EEC request.

4.6 Match authorisation

All four matches were authorised in 2002 by an amendment to the Electoral Act 1993, as described in the programme authorisation overview in section 2.6. The statutory authority for this particular match is Electoral Act 1993, s. 263B(3)(b).

5. MSD/EEC Unenrolled Voters Match

(Electoral Act 1993, s. 263B(3)(a))

5.1 Match objective

The purpose of this match is to compare MSD's beneficiary and student databases with the electoral roll to:

- identify beneficiaries and students who are qualified to vote but have not enrolled, so that they may be invited to enrol
- update the addresses of people already on the roll (beneficiary records only).

5.2 Recommendation

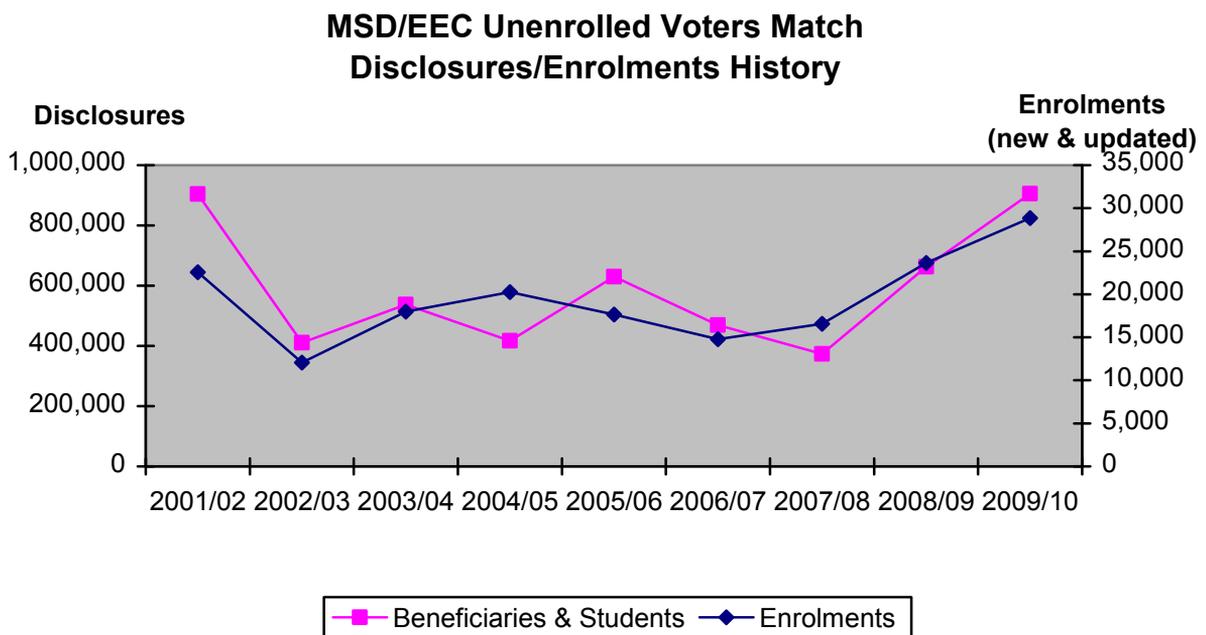
We recommend that this match continue and have no suggested amendments to its operation.

5.3 Match assessment

The match is assessed against the criteria in section 98 of the Privacy Act 1993. In particular, we consider that:

- This match is a cost-effective method of adding people to the electoral roll and updating addresses.
- Although four agencies provide information to EEC for this programme, each agency's contribution enables EEC to contact people who would not otherwise have been reached.
- The amount of personal information being disclosed is minimised. NZTA only supplies records that might identify new electors (e.g. aged 17 or over) or changes of address. Records that are 'locked' for any reason are not provided to EEC.
- The match has been operated in a manner consistent with the information matching controls in the Privacy Act. In particular, adequate security measures, including encryption, are used to transfer the data, and the information is confirmed with the individual, using the most recent address, before being included in the roll.

5.4 Match results



The disclosure in 2001/02 was of all beneficiary records. Subsequent disclosures are of new

or changed records for both beneficiaries and students. The number of disclosures also varies between years depending on when EEC chooses to request data and how long a period each request covers, and thus which reporting year the activity is included in. The high figures in 2009/10 are in part due to the processing of 14 months' worth of data (two months of which might normally have been processed in the preceding year).

Part-way through 2004/05 the age range of individuals matched was extended to include those 66 - 75. This change does not appear to have had an impact on the match. EEC advises that enrolment rates of 96% and 94% apply for the two age bands in the 66-75 range.

5.5 Match operation

The operation of this match is described in the overview of processing in Section 2.3. There are two additional details specific to this match.

The MSD data is the third of the four extracts to be used by EEC in the matching programme, as described in the overview of processing. This means that any person who has also been identified by a previous match will not be counted as being identified by this match.

MSD provides full name, date of birth and address of all individuals aged 17 years or older for whom new records have been created or where key data (surname, given name or address) has changed. Records flagged as confidential are excluded.

5.6 Match authorisation

All four matches were authorised in 2002 by an amendment to the Electoral Act 1993, as described in the programme authorisation overview in section 2.6. The statutory authority for this particular match is Electoral Act 1993, s. 263B(3)(a).

6. Citizenship/EEC Unenrolled Voters Match

(Electoral Act 1993, s.263B(3)(d))

6.1 Match objective

The purpose of this match is to compare the citizenship register with the contents of the electoral roll so that people who are qualified to vote but who have not enrolled may be invited to enrol.

6.2 Recommendation

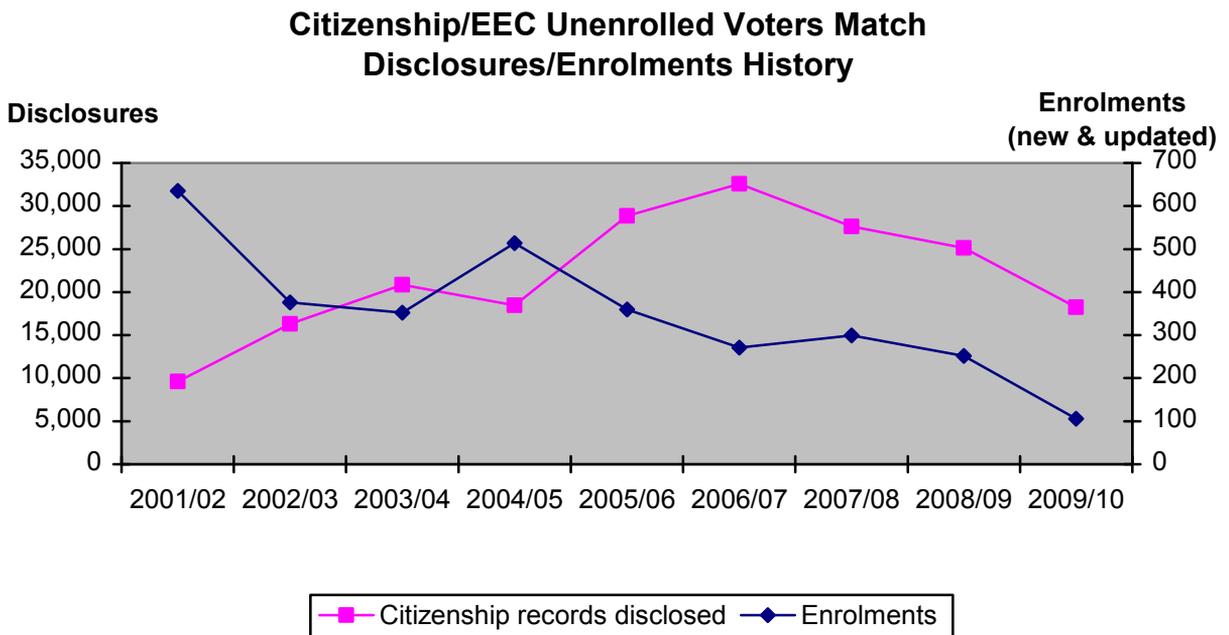
We recommend that this match continue and have no suggested amendments to its operation.

6.3 Match assessment

The match is assessed against the criteria in section 98 of the Privacy Act 1993. In particular, we consider that:

- This match is a cost-effective method of adding people to the electoral roll and updating addresses.
- Although four agencies provide information to EEC for this programme, each agency's contribution enables EEC to contact people who would not otherwise have been reached.
- The amount of personal information being disclosed is minimised. NZTA only supplies records that might identify new electors (e.g. aged 17 or over) or changes of address. Records that are 'locked' for any reason are not provided to EEC.
- The match has been operated in a manner consistent with the information matching controls in the Privacy Act. In particular, adequate security measures, including encryption, are used to transfer the data, and the information is confirmed with the individual, using the most recent address, before being included in the roll.

6.4 Match results



Part-way through 2004/05 the age range of individuals matched was extended to include

those 66-75 years. We do not know if this explains the peak of enrolments/updates in that year. EEC advise that enrolment rates of 96% and 94% apply for the two age bands in the 66-75 range.

In 2008/09 EEC identified that it was receiving multiple records relating to individuals who had variations of their names entered on the Citizenship system. These records are now tagged for EEC as belonging to the same person to assist EEC in ensuring it does not send out multiple invitations to enrol to the same person.

The number of disclosures also varies between years depending on when EEC chooses to request data and how long a period each request covers, and thus which reporting year the activity is included in.

6.5 Match operation

The operation of this match is described in the overview of processing in Section 2.3. There are two additional details specific to this match.

The Citizenship data is the last of the four extracts to be used by EEC in the matching programme, as described in the overview of processing. This means that any person who has also been identified by a previous match will not be counted as being identified by this match.

The NZ Citizenship Office of the Department of Internal Affairs creates an encrypted file extract from its records of people who have been granted citizenship in a period specified in the EEC request. Each extract includes full name, date of birth, address(es) and the date of the citizenship. The record also includes a 'Person Record Number' that enables EEC to recognise multiple records for any person. This number is replaced when EEC load the data into its system for matching.

6.6 Match authorisation

All four matches were authorised in 2002 by an amendment to the Electoral Act 1993, as described in the programme authorisation overview in section 2.6. The statutory authority for this particular match is Electoral Act 1993, s. 263B(3)(d).

7. Background:

7.1 Information matching

Information matching involves the comparison of one set of records with another, usually to find records in both sets that belong to the same person. Matching is commonly used to detect fraud in social assistance programmes, or to trace people who owe debts to the Crown, but can also be used ensure people get entitlements as in the case of the unenrolled voters matches.

Oversight of this growing area of activity is important to safeguard individuals and maintain transparency and trust in government. The Privacy Act regulates information matching through controls directed at:

- authorisation – ensuring that only programmes clearly justified in the public interest are approved
- operation – ensuring that programmes operate within the information matching framework
- evaluation – subjecting programmes to periodic review.

7.2 Section 106

Section 106 of the Act requires the Privacy Commissioner to undertake periodic reviews of the operation of each information matching provision and to consider whether:

- the authority conferred by each provision should be continued
- any amendments to the provision are necessary or desirable.

A periodic review is necessary to assess the ongoing value and suitability of a programme in light of experience of the programme operating. A programme may lose effectiveness over time if hit rates have peaked or the wider context has changed.

To conduct this review we considered mainly the information matching guidelines set out in section 98 of the Act. In particular we focused on whether each provision:

- continues to achieve its objective by providing significant monetary benefits or other comparable benefits to society
- raises concern because of the scale of matching (because of the number of agencies involved, the frequency of matching, or the amount of personal information being disclosed)
- is operating within the information matching controls in the Act.