

Department of Internal Affairs, Government Super Fund, Ministry of Education, Ministry of Health, National Provident Fund and New Zealand Transport Agency information matching: 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 information matching authorised by:

Births, Deaths, Marriages, and Relationships Registration Act 1995 section 78A and Schedule 1A

July 2020

Contents

1. **Introduction**
2. **Findings**
3. **Disclosure to the Department of Internal Affairs**
 - BDM/DIA Citizenship Application Processing Match
 - BDM/DIA Passport Eligibility Match
4. **Disclosure to the Government Super Fund**
 - BDM (Deaths)/GSF Deceased Persons Match
5. **Disclosure to the Ministry of Education**
 - BDM (Births)/MoE Student Birth Confirmation Match
6. **Disclosure to the Ministry of Health**
 - BDM (Births)/MoH Mortality Match
 - BDM (Deaths)/MoH NHI and Mortality Match
7. **Disclosure to the National Provident Fund**
 - BDM (Deaths)/NPF Deceased Persons Match
8. **Disclosure to the New Zealand Transport Agency**
 - BDM (Deaths)/NZTA Deceased Driver Licence Holders Match

Appendix A. Background information to information matching and Section 106

1. Introduction

The purpose of this report:

In this report I assess the ongoing value and suitability of six information matching provisions in section 78A and Schedule 1A of the Births, Deaths, Marriages, and Relationships Registration Act 1995. Eight information matching programmes are conducted under these provisions with information being provided from the Births, Deaths and Marriages (BDM) function of the Department of Internal Affairs (DIA) to various other agencies. These matches are used to ensure the data held by the various agencies is correct or to record a death.

Section 106 requires me to periodically review those information matching provisions listed in Schedule 3 of the Privacy Act 1993 (the Privacy Act) to ensure any intrusion on individuals' privacy remains justified. I report my findings to the Minister of Justice, who must table a copy of my report in the House of Representatives.

The requirement for periodic reassessment of information matching arrangements is valuable as the forecasted benefits from information sharing between agencies are sometimes not achieved or decline over time for various reasons. Periodic reassessment ensures that the costs of the programme and the intrusion on privacy remains justified by the benefits to individuals or society.

What is information matching?

Agencies specified in section 97 of the Privacy Act conduct information matching when they compare one set of data about individuals with another set. They usually do this to find records in both sets that are about the same person.

For the purposes of the Act, section 97 defines an information matching programme as involving two specified agencies comparing at least two documents that each contain personal information about ten or more individuals, to produce or verify information that may be used for the purpose of taking adverse action (e.g. altering a payment or investigating an offence) against an identifiable individual.

Appendix A provides more detail on information matching, section 106 and the approach I have taken in undertaking this review.

Differences between 'authorised information matching' and 'information sharing'

An alternative mechanism for authorising information sharing was added to the Privacy Act in 2013. This approach allows for the information sharing to be authorised by an Order-in-Council rather than requiring legislation. The agencies agree an "Approved Information Sharing Agreement" (AISA) which specifies the information to be shared and the processes. The Privacy Commissioner may review the operation of these agreements but is not required to do so on a regular basis. Agencies are tending to replace information matches with Approved Information Sharing Agreements.

2. Findings

My assessments of the ongoing value and suitability of the six information matching provisions reviewed, all under the Births, Deaths, Marriages, and Relationships Registration Act 1995 (BDMRR) section 78A and Schedule 1A, are:

2.1 Disclosure of information to the Department of Internal Affairs

This provision allows the Department of Internal Affairs (DIA) to check various registers to verify whether a person is eligible to hold a New Zealand passport or for New Zealand citizenship.

I consider that the provision for DIA to conduct information matching between different registers should be repealed as soon as information sharing commences, for this purpose, under the “Information Sharing Agreement between the Department of Internal Affairs and the Registrar-General, Births, Deaths and Marriages” AISA.

2.2 Disclosure of life event information to the Government Superannuation Fund

This provision allows the Government Superannuation Fund to identify members or beneficiaries who have died.

DIA is working on an AISA that will supersede this provision.

I consider that the provision for the Government Superannuation Fund to receive life event information from DIA should be repealed as soon as the information sharing with the Government Superannuation Fund under the proposed AISA commences.

2.3 Disclosure of birth, name change and death information to the Ministry of Education

This provision allows the Ministry of Education to verify and update information on the National Student Index.

DIA is working on an AISA which will supersede this provision.

I consider that the provision for the Ministry of Education to receive life event information from DIA should be repealed as soon as the information sharing with the Ministry of Education under the proposed “Customer Nominated Services Approved Information Sharing Agreement” commences.

2.4 Disclosure of birth, name change, and death information to the Ministry of Health

This provision allows the Ministry of Health to verify and update information on the National Health Index (NHI) and to compile mortality statistics.

I consider that the provision for the Ministry of Health to receive information from DIA should be continued without amendment.

2.5 Disclosure of life event information to the National Provident Fund

This provision allows the National Provident Fund to identify members or beneficiaries who have died.

DIA is working on an AISA which will supersede this provision.

I consider that the provision for the National Provident Fund to receive life event information from DIA should be repealed as soon as the information sharing with the National Provident Fund under the proposed AISA commences.

2.6 Disclosure of information to the New Zealand Transport Agency

This provision allows the New Zealand Transport Agency to improve the quality and integrity of data held on the Driver Licence Register by identifying licence holders who have died.

DIA is working on an AISA which will supersede this provision.

I consider that the provision for the New Zealand Transport Agency to receive death information from DIA should be repealed as soon as the information sharing with the New Zealand Transport Agency under the proposed "Customer Nominated Services Approved Information Sharing Agreement" commences.

My detailed assessment of these provisions follows.

Appendix A gives a brief background to information matching, section 106 and the approach I have taken in undertaking this review.



John Edwards
Privacy Commissioner

July 2020

3. Disclosure to the Department of Internal Affairs

Provision objective

To allow DIA to access birth, marriage, civil union, name change, and death information, to verify whether a person is eligible to hold a New Zealand passport or for New Zealand citizenship.

Finding

I consider that the provision for DIA to conduct information matching between different registers should be repealed as soon as the information sharing, for this purpose, under the “Information Sharing Agreement between the Department of Internal Affairs and the Registrar-General, Births, Deaths and Marriages” AISA commences.

This new AISA was authorised by an Order-in-Council on 17th December 2018 as the Privacy (Information Sharing Agreement between Department of Internal Affairs and Registrar-General) Order 2018 (2018/275) and supersedes the information matching provisions under section 78A and Schedule 1A.

DIA are in the process of modifying their work processes and systems. As these changes are introduced, they will transition to operate information sharing under the AISA. When they have made that transition, the provision in Schedule 1A of the BDMRR Act can be repealed.

This provision was previously assessed in the report “[Passports and Citizenship \(July 2014\)](#)”.

3.1 BDM/DIA (Citizenship) Citizenship Application Processing Match

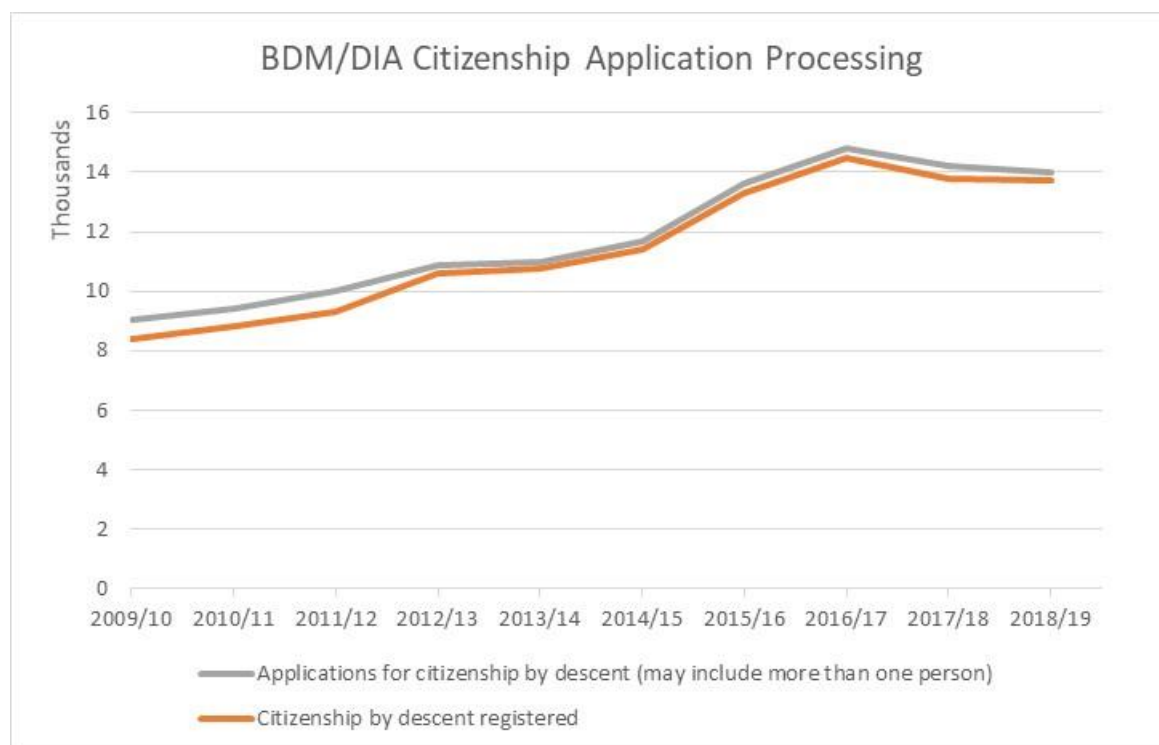
This programme enables DIA staff to verify information when processing citizenship applications involving:

- citizenship by descent;
- 1948 residence claims;
- claims regarding British people married to New Zealanders prior to 1949; and
- denials, renunciations and deprivations of citizenship.

DIA staff search on family name, given name, date of birth, country of birth and Citizenship Certificate Number and compare the possible matches, displayed by the system, to the information provided on the citizenship application form. If more than one individual’s record matches the selection criteria, the user can enter more selection criteria to narrow down the search results. If a clear match is not found, the applicant will be contacted for further identifying information and the application held pending their response.

Every search creates an auditable 'footprint' that provides protections against inappropriate browsing of personal information and could also be used in any investigation into a suspect grant of citizenship.

Match results



Notices of adverse action are sent when citizenship staff cannot satisfactorily match the information supplied to the appropriate birth, death, marriage, or relationship record. Almost all of these are resolved by contacting the applicant for clarification.

The difference between the number of applicants and the number registered is primarily due to the applicants not meeting eligibility criteria, rather than a failure to correctly match the record.

3.2 BDM/DIA (Passports) Passport Eligibility Match

Passports staff enter information provided on application forms into the passports processing system, KIWI. This automatically conducts birth and death checks. Marriage checks, and applications that cannot be processed through KIWI because of functionality limitations, are processed using the older OLEV (On-line Life Event Verification) system.

For searches of the births and marriages entries, confirmation allows application processing to proceed. Where there is doubt, cases can be referred to BDM staff for resolution. If there appears to be a match with an entry from the register of deaths, the processing of the passport application is halted, and the application referred for investigation of possible fraud.

Notices of adverse action are sent when passports staff cannot satisfactorily match the information supplied to the appropriate birth, death, marriage or relationship record. Almost all of these are resolved by contacting the applicant for clarification.

Annual audits of the process are conducted to give assurance that the matching programme is operated in compliance with the Privacy Act. Reporting of statistics to give context to the audit reports started in 2008/09.

Match results



Provision assessment

This provision was previously assessed in the report "[Passports and Citizenship \(July 2014\)](#)".

Assessment summary

The matches are effective as methods of identifying eligibility. The matches have generally been operated in a manner consistent with the information matching controls in the Privacy Act.

Financial cost/benefit and other outcomes

The costs of operation of each of the matches are not separately accounted for from the costs of operating the citizenship registration or passport issuance. However, I am satisfied that the programme is cost-effective, because alternatives would necessarily cost more.

Compliance/operational difficulties

Each matching programme had some minor operational and compliance difficulties early on, but these were resolved and reported on in the previous review. Subsequently, the matches have operated without further issues.

Scale of matching process

The scale of the match is appropriate. The matching involves different functional units within the DIA Identity Services. No other agencies are involved.

Alternative methods to achieve results

As the checks that invoke each matching attempt are programmed into the system workflows, any alternative is likely to be less efficient to operate and probably more onerous for applicants.

4. Disclosure to the Government Superannuation Fund

Provision objective

To allow DIA to disclose birth, marriage, civil union, name change, and death information, to the Government Superannuation Fund (GSF), to identify members or beneficiaries of the GSF who have died.

Finding

DIA is working on an AISA which will supersede this provision.

I consider that the provision for GSF to receive life event information from DIA should be repealed as soon as the information sharing with GSF commences under the proposed AISA.

BDM (Deaths)/GSF Eligibility Match

Every four weeks BDM copy information from the Deaths Register covering the previous 12 weeks. The data is encrypted and transferred to GSF online. The BDM data is matched against member records upon first name, middle name(s), last name, date of birth and gender. If these fields all match against more than one record or if they only partially match, then the records are manually reviewed and further information may be sought. A letter is sent to the member (their estate) to ensure the match is not in error before pensions are stopped.

Match results



This match was operated under an agreement from 1984 until 24 January 2009 when amendments to the Births, Deaths, Marriages, and Relationships Registration Act 1995 changed its' status to an authorised information matching programme.

Provision assessment

This provision was previously assessed in the report "[Superannuation and NHI Matches \(January 2015\)](#)".

Assessment summary

This match is a cost-effective method of identifying changes in entitlements. The match has been operated in a manner consistent with the information matching controls in the Privacy Act.

The provision allows for GSF to receive birth, marriage, civil union, name change, and death information. Of these, the GSF only receives death information.

Financial cost/benefit and other outcomes

GSF advises that the main cost is fees for data which amount to approximately \$11,000 each year paid to DIA. Processing each file requires approximately 10 hours per month.

The expected benefits of the match were:

- To limit overpayments.
- Improve pay out of benefits to relatives and dependents of deceased members.
- Locate 'missing' members, with whom contact has been lost.

The actual benefits of the match are:

- The match has reduced the typical overpayment from being 2-3 instalments to being a single overpayment.
- Surviving spouse entitlements are established more promptly.
- Administrators can contact next of kin to pay out other entitlements.

Some 'missing' members have been traced, but statistics on the numbers of these members are not kept.

Compliance/operational difficulties

No difficulties have occurred in operating the match or complying with the information matching rules.

Scale of matching process

The scale of the match is appropriate. The match involves only two agencies and only information necessary to identify persons who have died is transferred.

Alternative methods to achieve results

Alternative methods are unlikely to be as efficient. GSF previously relied upon notification from surviving spouses and executors, and on scanning for death notices in newspapers. This was time-consuming and significant numbers were not promptly identified resulting in additional stress for families of deceased persons.

5. Disclosure to the Ministry of Education

Provision objective

DIA may disclose birth, name change, and death information to the Ministry of Education (MoE) to verify and update information on the National Student Index (NSI).

Finding

DIA is working on an AISA which will supersede this provision.

I consider that the provision for MoE to receive life event information from DIA should be repealed as soon as information sharing, with MoE commences under the proposed "Customer Nominated Services Approved Information Sharing Agreement".

BDM (Births)/MoE Student Birth Confirmation Match operation

This match with MoE was authorised in 2002. Operation commenced in 2004, working through batches of historical data for birth information only.

Operation ceased in June 2015 when MoE implemented a new NSI system which did not incorporate a bulk matching capability. In April 2019, MoE advised they intended to restart this match, with the addition of death and name change information, to address continuing concerns with data quality in the NSI.

MoE is now working with vendors on designing a rebuild of the bulk matching capability in the NSI, with better functionality and security than the previous version.

MoE limit their request for data by specifying a date range. BDM extract the data from the Births Register. The file is provided to MoE on an encrypted USB drive.

Matching of the data is performed using the NSI system. A matching run passes BDM data through a series of four progressively looser matching algorithms. For each BDM record received, the matching process can have one of the following four possible outcomes:

- 1) no match – no NSI records match with the BDM record;
- 2) unique and exact match – one NSI record exactly matches with the BDM record;
- 3) unique and non-exact match – one NSI record matches with almost all components of the BDM record (e.g. name and gender exactly match but date of birth is different); or
- 4) multiple results returned – more than one NSI record matches exactly, or almost exactly, with the BDM record.

Where a match is exact and unique, these records are automatically updated into the NSI database. Where a match is not exact, or more than one match has been found

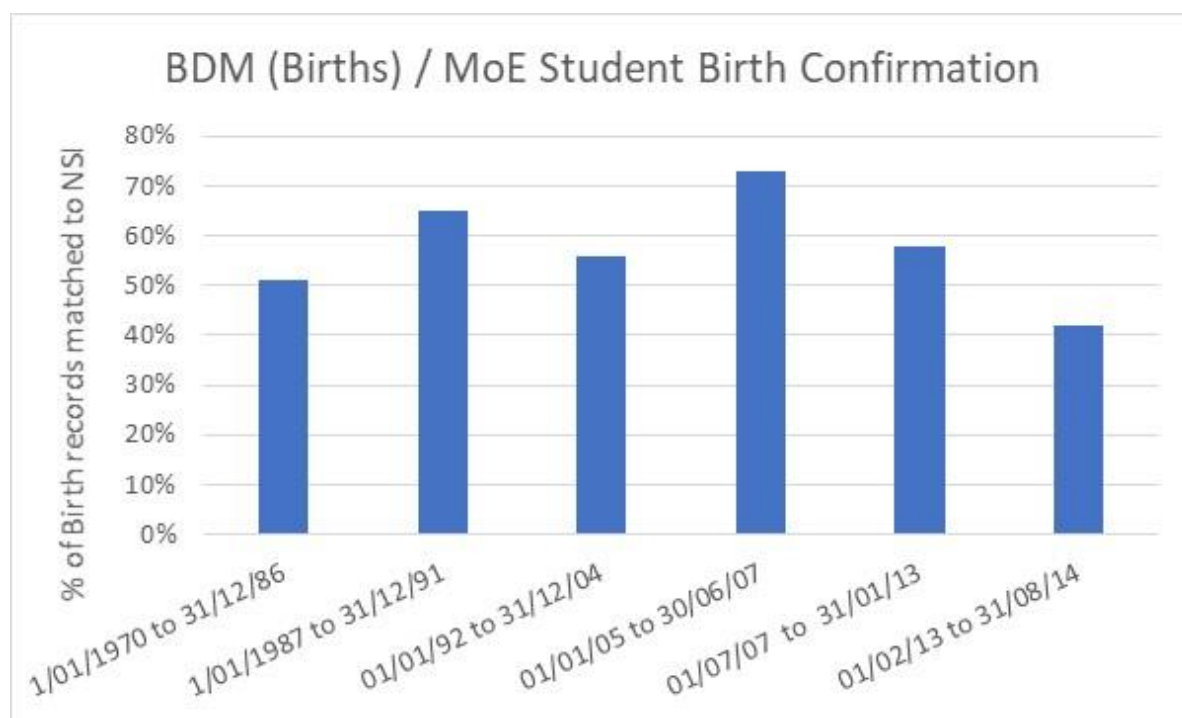
for a particular record, manual verification processes are used to determine whether a partial match can be accepted and updated into the NSI database. Any birth records that remain unmatched at the completion of this process are deleted.

This match does not result in any adverse action against individuals. Records that are verified by this process are flagged as 'verified' in the NSI and no further action is taken.

To ensure continued integrity of the NSI, a name held on the NSI and verified by matching with a BDM file entry cannot be changed unless a formal challenge is submitted to MoE for validation. An audit trail is maintained within the NSI system that shows all changes to records, including the change to the verification status, the source of the verification, the date the match took place and the level of match the algorithm achieved.

MoE's website and student publications notify students that they may check their details held on the NSI and whether the information has been verified by matching with a BDM file entry. They can do this through their education provider (early learning service, school or tertiary education provider) or by contacting MoE directly.

Match results



The graph illustrates the percentage of each birth date data set that was matched to National Student Index records.

Provision assessment

This provision was previously assessed in the report "[MSD, MoE and ACC Matches \(July 2014\)](#)".

Assessment summary

This match assists in improving data quality of a core administrative record.

Financial cost/benefit and other outcomes

The ongoing costs of the programme are estimated at \$26,000 per year for purchasing the data from DIA and any costs of maintaining the NSI functionality.

The benefits of validating records and locking records once validated are significant in reducing administrative confusion. These records are much less likely to be used in error when a school is presented with a new student who partially matches an existing record. MoE advise that matching for verification purposes can be of significant benefit for students. A student may have two, or even more, unverified National Student Numbers (NSNs) because additional new numbers have been created for them by different providers, in error. Their learning and qualifications record becomes split between NSNs. In the absence of matching, the student and provider have to detect this problem and spend a lot of time providing MoE with documentary evidence so that MoE can merge the NSNs into a single, complete record. With matching, MoE can detect and rectify these problems without any burden on the student or provider.

Compliance/operational difficulties

There have been no compliance or operational issues identified with the operation of this programme since the last report.

No complaints related to the operation of this programme have been received.

Scale of matching

The scale of the programme is appropriate as only two agencies are involved and the information supplied is limited to that necessary to achieve the objective.

Alternative methods to achieve results

Other methods would be significantly more onerous to parents and school staff, such as requiring parents to present official documents to validate information.

Amendment to the information matching provision

MoE have no suggestion for amendment to this provision.

6. Disclosure to the Ministry of Health

Provision objective

DIA may disclose birth, name change, and death information to MoH to verify and update information on the National Health Index (NHI); and birth and death information to compile mortality statistics.

Finding

I consider that the provision for MoH to receive information from DIA should be continued without amendment.

Provision assessment

Assessment summary

This match is a cost-effective method of data validation. The match has been operated in a manner consistent with the information matching controls in the Privacy Act.

This provision was previously assessed in the report "[Superannuation and NHI Matches \(January 2015\)](#)".

Financial cost/benefit and other outcomes

MoH estimates the costs of running the match are approximately \$40,000 per year, plus a charge of almost \$9,000 from DIA based upon the number of records provided.

Compliance/operational difficulties

The match is not entirely compliant in its operation, but these issues are assessed as not having significant impact.

Retention of records

MoH has retained birth records received before 24 January 2009, and back-up files of matched data received since then. This is used as an authoritative data source for the NHI, in case users of the NHI create errors in the database by modifying the wrong record. This gives MoH a partial copy of the Births Register which is technically contrary to the retention rules in the Privacy Act. However, because the majority of this information is held by MoH in the NHI, no significant risk is created.

Verification of matching

Because MoH does not have a direct line of contact with individuals matched, they cannot check the results of the match with the families of the individuals before updating its records and this creates a risk of error. Based upon results of other deaths matches, this type of error occurs rarely. MoH takes considerable steps to ensure its matching is accurate, by using other sources of information. In addition, downstream users can correct data if they become aware of a discrepancy. However, MoH are well aware this widespread ability to change core data can risk other accuracy and privacy problems.

Scale of matching process

The scale of the match is appropriate. The match involves only two agencies and only appropriate birth record information is transferred.

Alternative methods to achieve results

Alternative methods are unlikely to be as efficient.

6.1 BDM (Births)/MoH NHI and Mortality Register Match

Births, Deaths and Marriages (BDM) provides a file of birth records to the Ministry of Health (MoH) each month which MoH adds to their working file. From this working file an extract file of stillbirths is copied to be added to the Mortality Register for statistical reporting and research use.

The records in the working file are then matched for both baby and mother records against the National Health Index (NHI) database. There are three types of results from this matching:

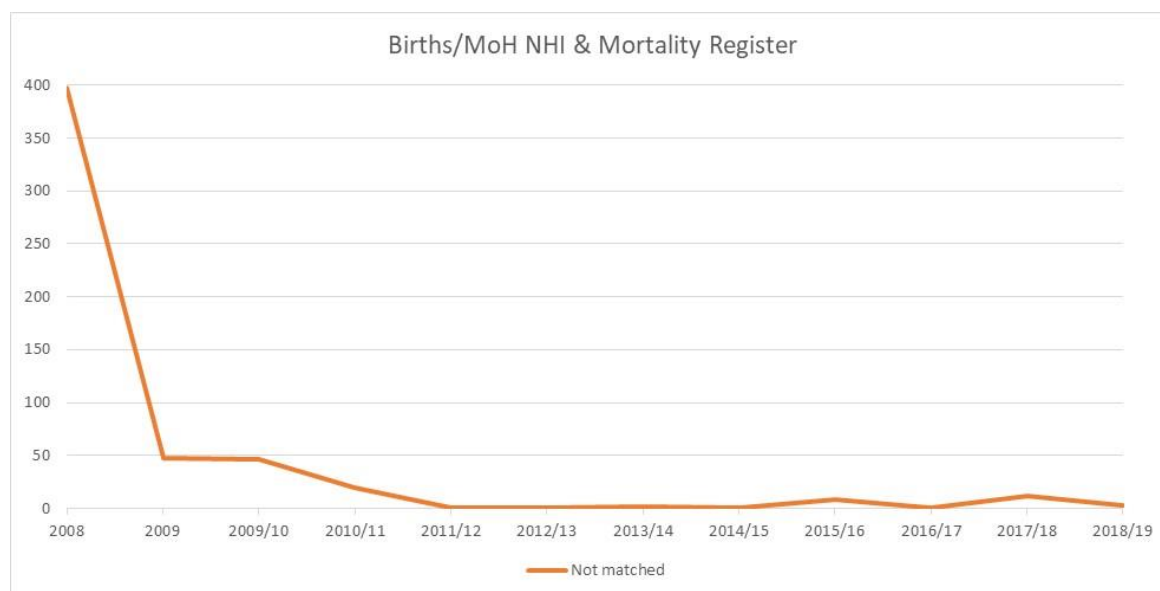
- 1) Any unique matches are accepted as correct and passed to the Match Results file.
- 2) Any records that give more than one potential match to an NHI record are manually matched, if possible, on the basis of the information in the NHI, and the match passed to the Match results file. If it is not possible to resolve the potential match, further investigation is undertaken and the NHI is updated as necessary.
- 3) For any records that do not return any potential matches, MoH may choose to create an NHI record. Birth records that remain unmatched after a third attempt at matching, are deleted.

A reference file of linked baby and mother NHI numbers is created from the Match Results file. This is used to update the Maternity and Newborn Information System National Collection. Then an NHI update file is created from the Match Results file. This update file is backed-up before being used to update the NHI. The back-up is retained as an authoritative data source for the NHI as MoH cannot currently prevent changes to the NHI by users.

The NHI is made available to external users and other agencies both in the form of direct access, and as update files.

Birth information has been provided by BDM to MoH since 1987. This arrangement was formalised as an authorised information match in January 2009.

Match results



This illustrates the improvement in notifying and recording births in the health system.

6.2 BDM (Deaths)/MoH NHI and Mortality Register Match

Births, Deaths and Marriages (BDM) provides a file of death records to the Ministry of Health (MoH) each fortnight. Only a subset of the information received is required for matching to the NHI records, so a working file is created for matching. The full records received from BDM are retained for one year to assist in matching coroner's reports to the NHI.

Death records that match to a single NHI record are assumed to be correctly matched. Any death records that return more than one possible match to an NHI record are manually reviewed and matched. This may involve identifying and resolving instances where an individual has more than one NHI record. Death records that are not matched are manually reviewed, and if no match can be found, an NHI record is created. All death records that have been matched or have had new NHI records created for them are tagged with the NHI number.

At this stage in the process, the matches have not been verified. They are probably correct, but in any such system a small number of mis-matches is expected. To minimise the risk of people missing scheduled treatments the match results are matched to National Booking Reporting System (NBRS) (for elective surgical

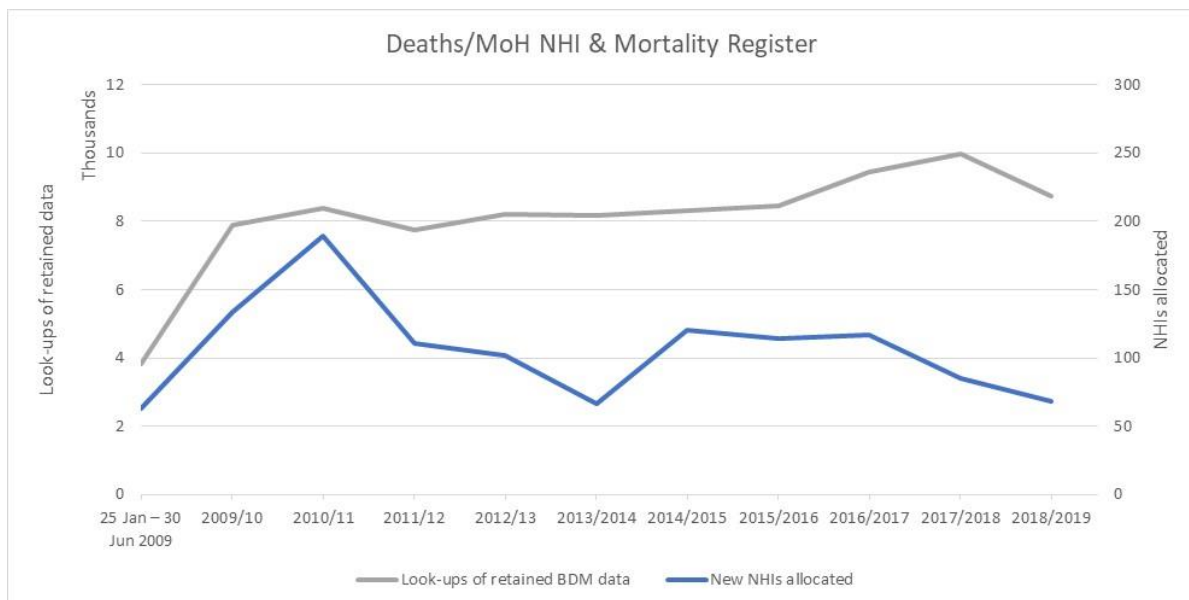
procedures) and National Immunisation Register (NIR) databases. Where matches to individuals listed on these systems are identified, MoH verifies the death by checking alternate information sources. A separate notification is received for deaths in publicly-funded-hospitals, and this is relied upon as verification for these deaths. For all other deaths, MoH verifies these primarily by checking medical certificates and coroner's notifications.

The matched file is loaded into the Mortality database. Then an extract from the Mortality database of the matched records (excluding any still pending verification) is used to update the NHI database.

This extract is also loaded to the National Collections data set. From there it is available to other databases and systems run by MoH and made available to health provider organisations (for example District Health Boards), with a warning message indicating that only some of the records have been subject to independent verification. This an important warning because the provider organisation might otherwise use the information to update records it holds without appropriate checking. Some external users also have direct access to the NHI and may see the date of death on any record they are looking at. MoH is relying upon these people recognising any false data before action is taken.

Those records which were matched to records on the NBRIS or NIR databases but were not able to be verified at the time of the deaths file processing, are subsequently followed-up and manually updated in the NHI, and, if required in the Mortality system.

Match results



This graph illustrates two aspects of this match. It illustrates the extent to which MoH have to refer back to retained data, and the number of new NHIs created as a result of the match.

7. Disclosure to the National Provident Fund

Provision objective

To allow DIA to disclose birth, marriage, civil union, name change, and death information, to the National Provident Fund (NPF) to identify members or beneficiaries of the NPF who have died.

Finding

DIA is working on an AISA which will supersede this provision.

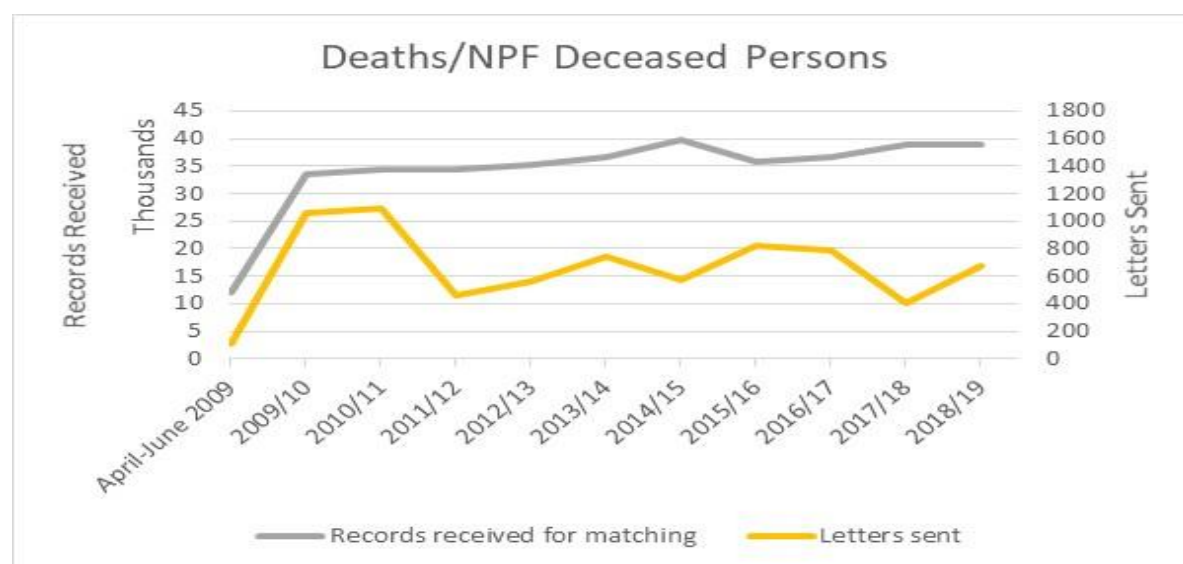
I consider that the provision for NPF to receive life event information from DIA should be repealed as soon as information sharing, with NPF, commences under the proposed AISA.

BDM (Deaths)/NPF Deceased Persons Match

Every four weeks, BDM copy information from the Deaths Register covering the previous 12 weeks. The data is encrypted and transferred to NPF online.

The BDM data is matched against member records upon first name, middle name(s), last name, date of birth and gender. If these fields all match against more than one record, or if they only partially match then the records are manually reviewed and further information may be sought. A letter is sent to the member (their estate) to ensure the match is not in error before pensions are stopped.

Match results



This match was operated under an agreement from 1984 until 24 January 2009 when amendments to the Births, Deaths, Marriages, and Relationships Registration Act 1995 changed its' status to an authorised information matching programme.

Provision assessment

This provision was previously assessed in the report "[Superannuation and NHI Matches \(January 2015\)](#)".

Assessment summary

This match is a cost-effective method of identifying changes in entitlement. The match has been operated in a manner consistent with the information matching controls in the Privacy Act.

The provision allows for NPF to receive birth, marriage, civil union, name change, and death information. Of these, the NPF only receives death information.

Financial cost/benefit and other outcomes

NPF advises that the main cost is fees for data which amounts to approximately \$11,000 each year paid to DIA. Processing each file requires approximately 3 hours per month.

The expected benefits of the match were:

- To limit overpayments.
- Improve pay out of benefits to relatives and dependents of deceased members.
- Locate 'missing' members, with whom contact has been lost.

The actual benefits of the match are:

- The match has reduced the typical overpayment from being 2-3 instalments to being a single overpayment.
- Surviving spouse entitlements are established more promptly.
- Administrators can contact next of kin to pay out other entitlements.

Some 'missing' members have been traced, but statistics on the numbers of these members are not kept.

Compliance/operational difficulties

No difficulties in operating the match or complying with the information matching rules have occurred.

Scale of matching process

The scale of the match is appropriate. The match involves only two agencies and only information necessary to identify persons who have died is transferred.

Alternative methods to achieve results

Alternative methods are unlikely to be as efficient. Previously the agency relied upon notification from surviving spouses and executors, and on scanning for death notices in newspapers. This was time-consuming and significant numbers were not promptly identified resulting in additional stress for families of deceased persons.

8. Disclosure to the New Zealand Transport Agency

Provision objective

To allow DIA to disclose birth, marriage, civil union, name change, and death information, to the New Zealand Transport Agency (NZTA) to improve the quality and integrity of data held on the Driver Licence Register.

Finding

DIA is working on an AISA which will supersede this provision.

I consider that the provision for NZTA to receive death information from DIA should be repealed as soon as information sharing, with NZTA, commences under the proposed "Customer Nominated Services Approved Information Sharing Agreement".

BDM (Deaths)/NZTA Deceased Driver Licence Holders Match operation

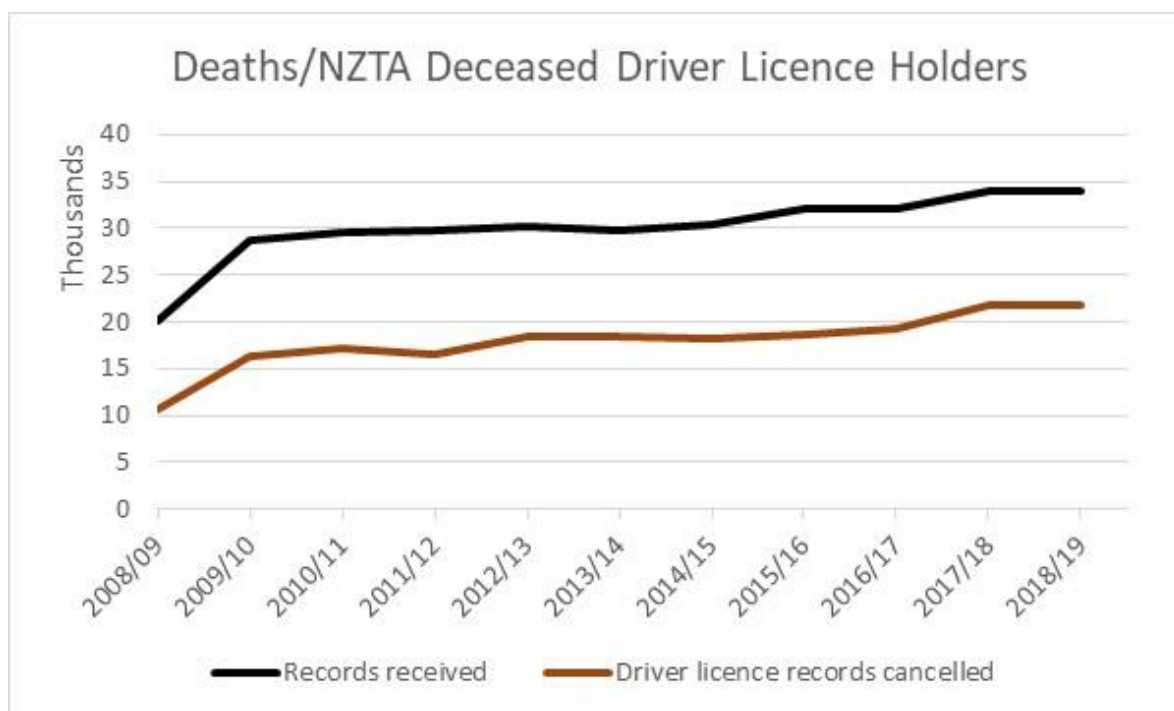
Each fortnight, BDM provides NZTA with the details of newly deceased individuals. The information is originally sourced from death registration forms. The death details include full name (current and at birth), gender, date and place of birth, date of death, home address, and a Death Registration Number (the Death Registration Number is only used by NZTA in situations where they need to verify the results of a match with BDM).

To retrieve the BDM file, NZTA uses an encrypted connection to access the DIA Agency Pick-up Service, a secure web-based service available through the DIA web portal.

The extracted data is matched against a copy of the Driver Licence Register information held in the NZTA Driver Licence Data Warehouse. The matching process uses the first name(s), middle name(s), surname, date of birth and gender.

NZTA staff manually check all match results (including exact matches) before any action is taken. Where NZTA intends to cancel a driver licence that is current or has expired within the last two years because it appears the licence holder has died, it sends a notice of adverse action (section 103 notice). For all other cases, NZTA sends a courtesy letter advising the estate that the licence record is being cancelled.

Match results



Provision assessment

This provision was previously assessed in the report "[MBIE, IR and NZTA Matches](#)" (August 2014).

Assessment summary

The programme has enabled NZTA to make significant gains in data quality through the identification and timely updating of Driver Licence Register records relating to recently deceased drivers. The scale of the programme raises no concerns, and it has generally operated compliantly. There is no other systematic way of identifying the records of deceased drivers without access to DIA death data.

Financial cost/benefit and other outcomes

The cost of this programme is estimated at \$115,000 each year. The primary benefit of this programme is the significant improvement in data quality of the Driver Licence Register. The improved data quality reduces the risk of someone committing identity fraud by obtaining a driver licence using a deceased person's identity. The programme also enables prompt cancellation of licence records, removing the risk of sending distressing licence renewal notices to next of kin after the licence holder's death.

Compliance/operational difficulties

There have been no substantive compliance or operational issues identified with the operation of this programme since the last report. No complaints related to the operation of this programme have been received.

Scale of matching process

The scale of matching raises no particular concerns. The exchange of data is limited to the information necessary for NZTA to identify and cancel the records of recently deceased driver licence holders.

Alternative methods to achieve results

I believe that receiving information directly from DIA is the most appropriate and efficient way for NZTA to collect this information. Prior to the programme operating, NZTA received deaths information via ad-hoc communications from executors of estates, the Police, or next of kin. On average, NZTA estimated that only 15% of deaths were recorded on the Driver Licence Register using these ad-hoc methods.

Amendment to the information matching provision

NZTA have no suggestions for amendment to this provision.

Appendix A: Background to 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 (for example, the unenrolled voters programmes).

Oversight of this 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; and
- evaluation – subjecting programmes to periodic review.

Section 106

Section 106 of the Privacy 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; and
- 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 operating the programme. A programme may lose effectiveness over time if hit rates have peaked or the wider context has changed.

To conduct these reviews, I primarily consider the information matching guidelines set out in section 98 of the Privacy Act. In particular, I focus 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 (for example, the number of agencies involved, the frequency of matching, or the amount of personal information being disclosed); and
- is operating within the information matching controls in the Privacy Act.