



Privacy Commissioner
Te Mana Matapono Matatapu

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 seven information matches:

Births, Deaths, Marriages, and Relationships Registration Act 1995, s78A

- BDM/MSD Overseas Born Name Change

- BDM (Deaths)/INZ Deceased Temporary Visa Holders

Citizenship Act 1977, s26A

- Citizenship/INZ Entitlement to Reside

Corrections Act 2004 s181

- Corrections/INZ Prisoners

Customs and Excise Act 1996 s280

- Customs/Justice Fines Defaulters Alerts

Immigration Act 2009 s295

- INZ/Justice Fines Defaulters Tracing

Tax Administration Act 1994 s85A

- IR/Justice Fines Defaulters Tracing

September 2017

Introduction

In this report I assess the ongoing value and suitability of seven information matching provisions.

Section 106 of the Privacy Act 1993 requires the Privacy Commissioner to carry out a review of the operation of each information matching provision which is subject to Part 10 of the Privacy Act 1993, at intervals of not more than 5 years and consider whether:

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

(This is explained in more detail in Appendix A.)

Periodic reassessment of information matching arrangements is valuable as the forecast 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.

Commissioner's recommendations

Ministry of Social Development

The Ministry of Social Development operates an information match with the Department of Internal Affairs to update their records with name changes by persons born overseas under section 78A of the Births, Deaths, Marriages, and Relationships Registration Act 1995. I have assessed the value and suitability of this matching programme and I recommend that the provision continue without amendment.

Immigration New Zealand

Immigration New Zealand operates three information matches that have been reviewed.

1. Death information from the Department of Internal Affairs is used to remove or update records from Immigration New Zealand's database of over-stayers and temporary permit holders under section 78A of the Births, Deaths, Marriages, and Relationships Registration Act 1995

2. Citizenship information from the Department of Internal Affairs is used to remove records from Immigration New Zealand's database of over-stayers under section 26A of the Citizenship Act 1977.

3. The Department of Corrections supply a list of prisoners to Immigration NZ to identify any who are subject to deportation under section 181 of the Corrections Act 2004.

I have assessed the value and suitability of these provisions and I recommend that they continue without amendment.

Ministry of Justice

The Ministry of Justice operate matches with Customs, Immigration NZ and the Inland Revenue Department as part of their debt recovery programme.

1. Customs provides Justice with arrival and departure information for debtors with significant outstanding amounts under section 280 of the Customs and Excise Act 1996.


2. Inland Revenue Department provides Justice with contact information to help locate people who owe fines under section 85A of the Tax Administration Act 1994.

I have assessed the value and suitability of these two provisions and I recommend that they continue without amendment.

3. Immigration NZ provides Justice with information from the Arrival and Departure cards to help locate people who owe fines section 295 of the Immigration Act 2009.

I have assessed the value and suitability of this provision and I recommend that this provision be removed unless Justice can develop a new business case as it is no longer effective.

My detailed assessments of these programmes follow. 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
September 2017

1 BDM/MSD Overseas Born Name Change (Births, Deaths, Marriages, and Relationships Registration Act 1995, s78A)

1.1 Programme objectives

To verify a client's eligibility or continuing eligibility for a benefit (including a Community Services Card or a SuperGold Card) where a client has legally changed their name in New Zealand and not informed the Ministry of Social Development (MSD). The programme is also used to identify debtors and suspected benefit fraud.

1.2 Recommendation

I recommend that the authority conferred by section 78A of the Births, Deaths, Marriages, and Relationships Registration Act 1995 should be continued without amendment.

1.3 Programme assessment

Financial cost/benefit and other outcomes

MSD estimate that this match has cost \$46,828 for the four years to the end of June 2017 based upon full-time-equivalent staff costs.

MSD see the benefit of the match being the prevention of fraud or overpayments due to mistaken identification of clients. A nil result (finding no fraud from the match) is a good result as it gives assurance that fraud is not being committed using these identity changes. A further benefit comes from having correct client records.

Compliance/operational difficulties

MSD have worked to correct minor compliance issues in the implementation of this match. During the first two years, files from DIA were retained for longer than necessary, although in a way that was not readily accessible. This was not compliance with the requirement to delete information when it was no longer required. In addition, the letter sent to individuals advising of potential issues identified through the match was not fully compliant with the statutory requirements. MSD resolved this issue in July 2015.

Scale of matching

The scale of the programme is appropriate. Only two agencies are involved and the information used is limited to that which is necessary for the match.

Alternative methods to achieve results

Other methods to update records for name changes (for identity document purposes) are likely to be less efficient and more intrusive. The Department of Internal Affairs (DIA) is the authoritative source for name change records.

Amendment to the information matching provision

MSD advise that they have no suggested amendments to the provision authorising this programme. I am satisfied that the provision is suitably constrained and does not require amendment.

1.4 Programme results

	2012/13	2013/14	2014/15	2015/16	2016/17
Match runs	4	3	1	3	4
Records received for matching	25,104	30,735	11,752	43,364	67,679
Possible matches identified	762	264	88	573	1,110
Matches that required no further action	152	38	0	264	597
Notices of adverse action	618	222	66	309	513
Action taken without overpayment		99	88	309	0
Successful challenges	2	0	0	0	0
Overpayments established	8	0	0	0	0
Value of overpayments established	\$245,802	0	0	0	0

1.5 Programme operation

MSD gets a file each quarter of all name change records from January 2009 to the extract date. The name change details include the full name at birth, former full name, new full name, birth date, residential address, and country of birth.

MSD compares the name change records with MSD client records to identify clients who have registered a name change and not advised MSD of the new name. The matching process produces positive matches that are weighted to indicate the probability that an MSD client is the person on the Name Change Register.

If MSD finds any discrepancies, these are manually verified before any action is taken, including sending notices of adverse action. From time to time MSD may conduct investigations using the results of a match if fraud is suspected.

1.6 Programme Authorisation

This programme was authorised in 2009 and started operation in 2012.

2 BDM (Deaths)/INZ Deceased Temporary Visa Holders Programme (Births, Deaths, Marriages, and Relationships Registration Act 1995, s78A)

2.1 Programme objectives

To identify and remove or update the records of people who are deceased from the Immigration New Zealand (INZ) database of over-stayers and temporary visa holders.

2.2 Recommendation

I recommend that the authority conferred by section 78A of the Births, Deaths, Marriages, and Relationships Registration Act 1995 should be continued without amendment.

2.3 Programme assessment

Financial cost/benefit and other outcomes

The Ministry of Business, Innovation and Employment, that process the matches involving death and citizenship data for INZ, estimate the matching process requires four person-weeks and incurs direct costs of approximately \$10,000 per annum.

The programme is a cost effective approach to identifying people who do not need to be sought in relation to overstaying their visas.

Compliance/operational difficulties

There have been no compliance issues or operational difficulties with this programme.

Scale of matching

The scale of the programme is appropriate. Only two agencies are involved and the information used is limited to that which is necessary for the match.

Alternative methods to achieve results

Other methods to update records for deaths are less efficient and more intrusive, and the Department of Internal Affairs (DIA) is the authoritative source for death records.

Amendment to the information matching provision

I have not received any advice from INZ suggesting amendments to the provision authorising this programme. I am satisfied that the provision is suitably constrained and does not require amendment.

Previous reviews

This programme was previously assessed and reported on in 2012. The then Privacy Commissioner recommended that the programme continue and that INZ consider operating the match more frequently to keep their databases more up-to-date. INZ

2.4 Programme results

	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Records received for matching	30,358	29,129	29,504	31,292	31,675	31,444
Possible matches identified	897	849	844	1,103	1,109	1288
Over-stayer records marked as deceased	121	117	106	89	118	125
Temporary visa holders records marked as deceased	56	47	42	65	69	78
Total number of records updated	177	164	148	154	187	203

2.5 Programme operation

Twice a year INZ receives a file of death records for the six months prior. Each record of a deceased person can include the full name at birth, full name at death, date of birth, gender, birth place, death date, and number of years lived in New Zealand.

The death records are processed through a series of matching cycles where the matching criteria is progressively widened to allow for less exact matches to be considered. Potential matches are written to a match report where they are manually checked before being accepted or rejected.

Where an individual on a temporary visa appears to have died, INZ marks the record as 'deceased' and includes an alert stating that the death information is unverified and no action should be taken regarding the person unless independent proof of the death (or to the contrary) is received. Marking the record as 'deceased' also prevents the record from passing from the temporary visa list onto the over-stayer list once the temporary visa expires. Where a match identifies a deceased individual already on the over-stayer list, the record is updated to 'deceased' so that no further enforcement effort is made to locate that person.

2.6 Programme Authorisation

This programme was authorised in 2001 and started operation in 2007.

3 Citizenship/ INZ Entitlement to Reside Programme (Citizenship Act 1977, s26A)

3.1 Programme objectives

To remove from the Immigration New Zealand (INZ) over-stayer records the names of people who have been granted New Zealand citizenship.

3.2 Recommendation

I recommend that the authority conferred by section 26A of the Citizenship Act 1977 should be continued without amendment.

3.3 Programme assessment

Financial cost/benefit and other outcomes

The Ministry of Business, Innovation and Employment, that process the matches involving death and citizenship data for INZ, estimate the matching process requires four person-weeks and incurs direct costs of approximately \$10,000 per annum.

Having client records that are correct is essential to efficient and effective administration. The accuracy of INZ records is important for other agencies as well such as the Electoral Commission which uses INZ records to check eligibility to enrol.

The programme is a cost effective approach to identifying people who were recorded as over-stayers but have become citizens.

Compliance/operational difficulties

There have been no compliance issues or operational difficulties with this programme.

Scale of matching

The scale of the programme is appropriate. Only two agencies are involved and the information used is limited to that which is necessary for the match.

Alternative methods to achieve results

Other methods to update records will be less efficient and more intrusive. The Department of Internal Affairs is the authoritative source for citizenship records.

Amendment to the information matching provision

I have not received any advice from INZ suggesting amendments to the provision authorising this programme. I am satisfied that the provision is suitably constrained and does not require amendment.

Previous reviews

This programme was previously assessed and reported on in 2012. The then Privacy Commissioner recommended that the programme continue and INZ should consider running it more frequently.

3.4 Programme results

	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Match runs	3	3	3	3	3	3
Records compared	1,199,788	1,279,143	1,364,259	1,447,113	1,542,223	1,637,872
Useable matches	6,919	6,886	6,969	7,231	7,770	7,926
NZ citizen records removed from the over-stayers list	427	435	372	402	430	402

3.5 Programme operation

INZ runs this match three times per year. Two of the runs are for six-month periods and the third is a historical covering citizenship records previously received. Historical records are used to identify individuals who have been re-added to INZ's temporary visa-holder records because they have returned to New Zealand using their non-New Zealand passport. Each citizenship record includes the full name, gender, date of birth, country of birth and citizenship person number.

INZ compares the citizenship information with information it holds about over-stayers using up to seven matching cycles in which the matching criteria are gradually widened to allow for less exact match results to be considered. The match results are reviewed by INZ staff before being accepted.

No notices of adverse action (s.103) are sent out because individuals matched successfully benefit from being removed from the over-stayers' register and unsuccessful matches do not give rise to any adverse action.

3.6 Programme Authorisation

This programme was authorised in 2001 and started operation in 2004.

4 Corrections/INZ Prisoners Programme (Corrections Act 2004, s181)

4.1 Programme objectives

To identify prisoners who fall within the deportation provisions of the Immigration Act 2009 as a result of their criminal convictions, or are subject to deportation because their visa to be in New Zealand has expired.

4.2 Recommendation

I recommend that the authority conferred by section 181 of the Corrections Act 2004 should be continued without amendment.

4.3 Programme assessment

Financial cost/benefit and other outcomes

Immigration NZ (INZ) estimates this programme requires approximately \$58,000 to operate.

The programme informs INZ of people who may be liable for deportation because of convictions or expiry of their visa. The programme also assists Corrections in correctly identifying persons who may be deported, which may affect which programmes those persons are placed on, or when they are placed on particular programmes. This may also affect Corrections risk management of particular individuals. Where deportation occurs, this may avoid further Corrections offender management costs.

Compliance/operational difficulties

Both agencies have worked to bring the security of the data when it is being transferred up to a reasonable standard by improving the encryption used. INZ has also taken steps to ensure information that was no longer required was deleted, rather than just being removed from view.

Scale of matching

The programme currently does not include people on community-based sentences. INZ are looking for the resources to extend the scope of the match to include these people.

Only two agencies are involved and the information used is limited to that which is necessary for the match.

Alternative methods to achieve results

Other methods to identify the immigration status of prisoners will be less efficient and more intrusive.

Amendment to the information matching provision

I have not received any advice from INZ suggesting amendments to the provision authorising this programme. I am satisfied that the provision is suitably constrained and does not require amendment.

Previous reviews

This programme was previously assessed and reported on in 2012. The then Privacy Commissioner recommended that the programme continue.

4.4 Programme results

	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Match runs	53	52	52	52	52	53
Number of client cases revealed by matching	364	378	480	546	683	727
Cases excluded as not being eligible for removal or deportation	329	333	427	484	608	677
Notices of adverse action	35	45	53	62	75	50
Successful challenges	1	1	0	0	2	3
Cases considered for removal or deportation	33	43	52	56	68	42
Number of removals and deportations from NZ at year's end	30	27	20	16	25	34

4.5 Programme operation

Each week Corrections transfer a file containing details of all newly admitted prisoners to INZ. Each prisoner record (including individuals sentenced to home detention) includes identifying information such as full name (including aliases), date of birth, gender, and citizenship. Also included are details of the prisoner's offence, home detention details (if applicable), length of sentence, date of sentence commencement, parole eligibility and statutory release.

INZ matches the prisoner information with information relating to persons who are in New Zealand unlawfully or on temporary visas. The matching process uses different combinations of information to identify possible matches. The match results are manually checked before a letter (s.103 notice of adverse action) is sent to the individual at the prison. After a notice of adverse action is sent, INZ makes further checks in the deportation process to ensure the identity and status of the person is confirmed.

Where a prisoner is subject to deportation or removal orders and has no further rights of appeal, INZ supplies Corrections with the prisoner's immigration status, including the date of any proposed removal action. This helps Corrections to make appropriate decisions about the prisoner's management. For example, a prisoner might not be considered for re-integration assistance or temporary release.

4.6 Programme Authorisation

This programme was authorised in 2004 and operation started in 2005.

5 Customs/Justice Fines Defaulters Alerts Programme (Customs and Excise Act 1996, s280)

5.1 Programme objectives

To improve the enforcement of fines by identifying serious fines defaulters as they cross New Zealand borders, and to increase voluntary compliance through publicity about the programme targeted at travellers.

5.2 Recommendation

I recommend that the authority conferred by section 280 of the Customs and Excise Act 1996 should be continued without amendment.

5.3 Programme assessment

Financial cost/benefit and other outcomes

The Ministry of Justice (Justice) estimate this programme has cost approximately \$1 million for the period 2012-2017 and has resulted in receipts or remittals of approximately \$3.1 million during that period. I accept also that the programme will have a deterrent effect because it is well advertised.

On the basis of these estimates the programme is an effective approach to collecting fines.

Compliance/operational difficulties

On two occasions during the 2012/2013 year fines defaulter information was not updated onto the NZ Customs Service (Customs) alerts system. As a result, one individual was intercepted at the airport despite having paid their fines a day earlier. Manual steps were introduced to prevent a recurrence.

No other issues with the operation of this programme have been reported.

Scale of matching

The scale of the programme is appropriate. Only two agencies are involved and the information used is limited to that which is necessary for the match.

Alternative methods to achieve results

Justice use a combination of other methods to try and contact people who owe fines, in addition to information matches with Immigration NZ, the Inland Revenue Department and the Ministry of Social Development.

Amendment to the information matching provision

I have not received any advice from Justice suggesting amendments to the provision authorising this programme. I am satisfied that the provision is suitably constrained and does not require amendment.

Previous reviews

This programme was previously assessed and reported on in 2012. The then Privacy Commissioner recommended that the programme continue.

5.4 Programme results

	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Silent alerts triggered	5,111	6,167	5,519	6,281	6,907	1,586
Individuals subject to silent alerts	2,394	2,916	3,175	4,398	3,507	855
Intercept alerts triggered	175	201	159	200	199	230
People intercepted	149	171	132	120	128	80
Incorrect intercepts	23	6	13	19	11	65
Fines had already been paid	6	6	12	18	10	65
Wrong person identified	17	0	1	1	1	0
Interception not completed	16	17	14	61	85	96
Fines received*	\$110,546	\$47,990	\$25,610	\$45,066	\$22,792	\$19,215
Reparation received*	\$155,061	\$81,435	\$86,793	\$89,548	\$78,020	\$27,266
Amount under a current time to pay arrangement*	\$121,680	\$135,641	\$182,971	\$111,395	\$207,103	\$33,369
Remittals/ Alternative sentence imposed*	\$85,703	\$140,682	\$79,490	\$67,362	\$137,785	\$101,995
Active interception alerts*	3,701	3,886	4,362	4,305	4,348	4,509
Active silent alerts*	21,267	21,609	22,641	21,993	20,860	18,999

*At 30 June of each year.

5.5 Programme operation

Each day Justice sends Customs details of serious fines defaulters for the purpose of creating "interception alerts" or "silent alerts" in the Customs system. The most serious cases attract an "interception alert", which results in the traveller being intercepted at the airport and required to pay (or make an arrangement to pay) their fine or reparation or face arrest. The other cases involve a "silent alert" which uses information about the traveller for enforcement action after their entry or (re-entry) to the country.

Interception alerts are created where either:

- any amount of reparation is owing, and
- a warrant to arrest has been issued, and
- the warrant covers at least part of the reparation outstanding.

Or

- court imposed fines greater or equal to \$5,000 are outstanding, and

- a warrant to arrest has been issued, and
- the warrant covers at least part of these court imposed fines.

Silent alerts are created where:

- fines equal to or greater than \$1,000 are outstanding, and
- a warrant to arrest has been issued, and
- the warrant covers at least part of these outstanding fines.

As an individual passes through the border, a Customs official scans their passport into the Customs system which enables matching against the alerts held.

People triggering an interception alert are interviewed by a NZ Police officer to confirm their identity and that the alert information is still current. If the facts are verified the individual is given an opportunity to pay the outstanding amount or to enter into an arrangement to pay. If no payment is made, or arrangement entered into, the Police have discretion to execute the arrest warrant, in which case the individual will be stopped from travelling and brought before a court.

Silent alert information is not displayed to Customs staff but is notified electronically to Justice for potential use in the related INZ/Justice Fines Defaulters Tracing Programme. Silent alerts do not result in individuals having their travel interrupted.

5.6 Programme Authorisation

This programme was both authorised and started operation in 2006.

6 INZ/Justice Fines Defaulters Tracing Programme (Immigration Act 2009, s295)

6.1 Programme objectives

To enable the Ministry of Justice (Justice) to locate people who have outstanding fines in order to enforce payment.

6.2 Recommendation

I recommend that this provision be removed unless Justice can develop a new business case as it is no longer effective.

6.3 Programme assessment

Financial cost/benefit and other outcomes

Justice stopped operating this programme on 28 September 2016 because of the significant level of manual work involved and the relatively low return.

Justice started this programme in 2006 and by 2012/13 was aware that results from the programme were declining. Justice also found that address details obtained from arrival and departure cards were often a repeat of information already held and known to be invalid.

Compliance/operational difficulties

Justice had difficulty complying with the requirement to destroy information received from Immigration NZ (INZ) once it was no longer required to process the match or follow-up individuals. This has been satisfactorily resolved.

Staff shortages and other operational requirements resulted in the match being suspended by INZ for the period January 2014 to June 2014, and by Justice from September 2014 to December 2014 while safeguards for electronic transfer of data were implemented. From January to June 2016 Justice did not process information from INZ due to delays in receiving the information. Justice considered that the age of the information meant it was unusable for the collection and enforcement of fines.

Scale of matching

The scale of the programme was appropriate. Only two agencies were involved and the information used is limited to that which is necessary for the match.

Alternative methods to achieve results

In order for Justice to use the information on the arrival / departure cards efficiently, Justice would need electronic access to this source of information.

Amendment to the information matching provision

Justice would prefer to retain this provision while they consider possible approaches to make the match cost effective.

Previous reviews

This programme was previously assessed and reported on in 2012. The then Privacy Commissioner recommended that the programme continue.

6.4 Programme results

	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Requests sent to INZ	4,724	5,285	5,367	6,091	6,796	0
Notices of adverse action	886	356	45	174	49	0
Successful challenges	3	0	0	1	3	0
Payment received for fines	\$180,848	\$70,759	\$3,060	\$12,239	\$4,462	0
Amounts under a current time-to-pay arrangement	\$91,920	\$16,324	\$16,801	\$18,645	\$24,489	0
Remittals/alternative sentence imposed	\$195,223	\$106,648	\$1,924	\$1,420	\$5,398	0

Results are as at 30 June for each year.

6.5 Programme operation

This programme is linked to the Customs/Justice Fines Defaulters Alerts Programme as silent alert information provided from the Customs/Justice programme is subsequently used by Justice to match with arrival and departure information held by INZ.

Justice sends INZ a weekly transfer of information about people who have triggered an alert. INZ manually finds the relevant arrival or departure card for each individual and provides Justice with: family/given names, date of birth, gender, passport number, nationality, expiry date of any permit, NZ residential address, expected return date (for departing travellers) and occupation.

Obtaining these details enables Justice to avoid expending resources unnecessarily chasing defaulters who are out of the country, and to be ready to recommence enforcement action promptly on a traveller's return and trace them to their declared address.

If the address received from INZ is new, and no action has occurred on the individual's profile since the silent alert was activated, Justice sends out a notice of adverse action (s.103 notice) to the New Zealand address supplied. If no challenge is received in response to the notice, the individual's profile becomes available for action at the Collections Unit nearest to the recently supplied address.

6.6 Programme Authorisation

This programme was both authorised and started operation in 2006.

7 IR/Justice Fines Defaulters Tracing Programme (Tax Administration Act 1994, s85A)

7.1 Programme objectives

To enable the Ministry of Justice to locate people who have outstanding fines in order to enforce payment.

7.2 Recommendation

I recommend that the authority conferred by section 85A of the Tax Administration Act 1994 should be continued without amendment.

7.3 Programme assessment

Financial cost/benefit and other outcomes

Justice estimate this programme has cost approximately \$3 million for the period 2012-2017 and has resulted in the collection of fines and reparations of approximately \$119 million during that period.

On the basis of these estimates the programme is an effective approach to collecting fines and reparations.

Compliance/operational difficulties

Justice had difficulty complying with the requirement to destroy information received from the Inland Revenue Department (IR) once it was no longer required to process the match or follow-up individuals. This has been satisfactorily resolved.

No further issues with the operation of this programme have been reported.

Scale of matching

The scale of the programme is appropriate. Only two agencies are involved and the information used is limited to that which is necessary for the match.

Alternative methods to achieve results

This is one of a suite of matches used by Justice to try and contact people who owe fines and with whom contact has been lost.

Amendment to the information matching provision

I have not received any advice from Justice suggesting amendments to the provision authorising this programme. I am satisfied that the provision is suitably constrained and does not require amendment.

Previous reviews

This programme was previously assessed and reported on in 2012. The then Privacy Commissioner recommended that the programme continue.

7.4 Programme results

	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17*
Match runs	164	231	215	237	236	200
Records sent for matching	1,377,070	2,199,377	2,139,396	2,192,037	2,015,556	2,150,668
Possible matches identified	544,707	868,980	846,696	677,135	591,950	590,161
Notices of adverse action	246,217	273,872	241,478	151,886	103,443	159,823
Challenges	958	1,320	1,554	1,996	1,191	795
Successful challenges	220	87	98	50	43	69

* provisional figures.

The totals reported are combined totals for this programme and the MSD/Justice Fines Defaulters Tracing Programme because Justice cannot always determine which programme resulted in the payment of outstanding fines.

Paid/settled (\$)

	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17*
IR	30,410,029	33,548,353	32,615,402	13,504,930	12,215,819	11,229,769
MSD	22,136,105	23,016,466	14,845,826	8,187,416	10,600,621	12,638,256
Both IR & MSD	17,670,440	19,637,789	12,345,907	6,322,046	5,908,684	2,380,546
Total	70,216,574	76,202,608	59,807,135	28,014,392	28,725,124	26,248,571

* provisional figures.

People – with payments or remittals

	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17*
IR	55,753	74,187	84,135	68,773	32,770	46,720
MSD	34,273	47,543	40,192	37,254	22,172	42,786
Both IR & MSD	32,807	43,186	36,468	30,512	16,662	6,191
Total	122,833	164,917	160,795	136,539	71,604	95,697

* provisional figures.

7.5 Programme operation

Justice sends details of fines defaulters to Inland Revenue daily. The details sent are the persons full name, date of birth, (and a unique identifier which is generated and used solely in this programme) about the selected fines defaulters. IR attempts to match the fines defaulter information with taxpayer information using the full name and date of birth. A maximum of 20,000 records is allowed per supply.

IR provides in return the current address and all known telephone numbers for the person, the name, address, and contact numbers of the person's employer or employers, and the unique identifier originally provided by Justice.

7.6 Programme Authorisation

This programme was authorised in 1998 and operation started in 2002.

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 as in the case of 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;
- 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 (because of 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.

