



Privacy Commissioner
Te Mana Matapono Matatapu

Privacy Act supports aviation safeguards in New Zealand

30 March 2015

Reports that German privacy laws may have contributed to the Germanwings air crash have prompted New Zealand's Privacy Commissioner to reassure the public that the Privacy Act is no impediment to medical practitioners notifying appropriate authorities to a pilot's health concerns.

Media reports have suggested the co-pilot may have suffered from a mental illness and other reports said he might have had other medical conditions which, if known, would have prevented him from flying.

Privacy Commissioner John Edwards says irrespective of how the privacy laws in Germany work, New Zealanders should realise that aviation safeguards are in place here and the law supports that.

"New Zealand travellers can be assured that the law works to protect pilots' and passengers' safety and privacy," Mr Edwards said.

The Civil Aviation Act 1990 says anyone working in the aviation industry must be a fit and proper person and the Director of Civil Aviation is entitled to take into account any history of physical or mental health or serious behavioural problems.

Mr Edwards says medical practitioners are required to advise the Director of any change in the medical condition of any licence holder, and are protected from any legal liability for doing so.

These provisions in the Civil Aviation Act take priority over the Privacy Act but even if they did not, the Privacy Act also allows the use and disclosure of personal information without the consent of the individual where necessary to avoid a serious threat.

For full comment, the Privacy Commissioner's blog post is available [here](#).

ENDS

Note for Editors

For further information, contact Charles Mabbett 021 509 735.