

The Privacy Act 2020 is based on the 13 privacy principles. In the new Act, some of the principles have been updated and a new principle has been added.

These changes help ensure the Act is relevant and useful in regulating new privacy challenges. The key changes to the principles are outlined below.

Principle 1

Principle 1 has been updated to clarify that you can only collect identifying information if it is necessary. If you don't really need identifying information, such as a person's name or their contact details, you shouldn't collect it.

Your goal should be to collect and use the least amount of information possible to meet your objective. This is called data minimisation.

Principle 4

The new Act specifically requires businesses and organisations that are collecting personal information from children or young people to consider whether the way they collect the information is fair in the circumstances. It may not be fair to collect information from children in the same manner as you would from an adult.

Principle 12

A new principle 12 has been added to the Act which regulates how personal information can be sent overseas. Sending information to an organisation outside New Zealand is known as cross-border disclosure.

Principle 12 states that personal information may only be disclosed to organisations in other countries where there are similar protections to those in the New Zealand Privacy Act. If a jurisdiction does not offer similar protections, the receiving organisation may agree to sufficiently protect the information, e.g. using **model contract clauses**, or the person concerned must be fully informed that their information may not be adequately protected and they must expressly authorise the disclosure.

For more information, see [Information sheet 3: Cross-border disclosure](#)

Principle 13

Principle 13 now states that businesses and organisations must take reasonable steps to protect unique identifiers from being misused. Unique identifiers were previously in principle 12 but this has been renumbered principle 13 in the new Act.

Unique identifiers are individual numbers, names, or other forms of identification allocated to people by organisations, such as your National Health Index number. It is important that organisations protect the unique identifiers that they use and only use those that are appropriate for their services to reduce the frequency and impact of identity theft.

For more information, visit [privacy.org.nz/askus](https://www.privacy.org.nz/askus) or find us at:

