

4 May 2011

Blair Stewart  
Assistant Commissioner  
Office of the Privacy Commissioner  
PO Box 466  
AUCKLAND 1140

Dear Mr Stewart

Please accept my apologies for the delay in replying to your email of 14 April 2011. The past several weeks have been particularly busy as a result of the destructive Christchurch earthquakes and more recently, the severe flooding in coastal Southern Hawkes Bay.

With regard to the issue that you raise, namely an apparent refusal by some insurers to release engineer's reports to policyholders who had asked for them, the Insurance Council takes this matter very seriously indeed.

As a result of our telephone conversation and your email of 31 March 2011, I raised your concerns with the Council Board. I reminded the Board of insurers' obligations to disclose policyholder information as it is stipulated in the Privacy Act. The Board resolved to remind members of their obligation to disclose relevant policyholder information when it is requested and I have written to all Council members reminding them of their disclosure obligations under the Privacy Act.

Insurance Council members' acknowledge unreservedly the rights of all policy holders, whether homeowners or businesses, to all legally required information which is held by their insurers. Furthermore, members of the Council are aware of their obligation to provide such information if requested by policyholders under the Privacy Act.

I am more than happy to receive from your office specific complaints that can be substantiated in order that these can be taken up directly with the insurer concerned. I will also be writing to the Insurance Brokers Association highlighting the issue and requesting that Association remind its broker members of their relevant obligations to policyholders under the Privacy Act.

The Insurance Council agrees with you that proactive steps to avoid any future non-compliant practice is desirable both for insurers and their customers. I remain optimistic that notwithstanding some enquiries received by your office, given the volume of property inspections underway, the system is working satisfactorily, including the public's right to access information held on their behalf by insurers.

Yours sincerely

Chris Ryan  
**Chief Executive**