

Authorised Access to Certain Names and Addresses held on the Motor Vehicle Register

Person: Premium Parking Limited

Purpose(s):

- To verify whether the registered person of a motor vehicle parked in a car park (enforcement of which is managed by the User) is a person included on a list of persons permitted to park there by the owner of the car park.
- To send notices to the registered person where a vehicle has been parked in a car park (enforcement of which is managed by the User) in breach of the parking terms and conditions.
- To trace persons registered in respect of motor vehicles where the occupants exit a car park (enforcement of which is managed by the User) without paying for parking, in breach of the parking terms and conditions.
- To trace a registered person of a motor vehicle where there is clear footage of:
 - the motor vehicle causing damage to property in a car park (enforcement of which is managed by the User); or
 - an occupant of that motor vehicle entering or leaving the vehicle and of the occupant causing damage to property in a car park (enforcement of which is managed by the User).
- To disclose to Premium Parking Limited's client (the client) the name of a registered person of a motor vehicle parked in a car park owned by the client and managed by Premium Parking Limited who is not included on a list of persons permitted by the client to park there, but who is an employee, contractor or student of the client, and who has parked there 3 or more times in the previous 12 months.

Term: The authorisation is valid for a period of 5 years commencing 26 April 2022 and ending at midnight on 25 April 2027.

The authorisation is subject to the following conditions:

Definitions

authorised access means access or use of information that has been authorised under the terms of this notice

unauthorised access means access or use of information that is not authorised access

Waka Kotahi means the New Zealand Transport Agency

User means Premium Parking Limited

Conditions

General

1. The User must only access information for the Specified Purposes.
2. Information must only be accessed by the User on its own behalf.
3. Clear signage must be present in the relevant car park that indicates the presence of CCTV cameras, that registration plates can be searched for the specified purposes, and, where applicable, that information may be disclosed to AUT.
4. The User must use best efforts to ensure that AUT destroys its records of the name provided by the User if that person is not an employee, contractor or student of AUT.
5. Information obtained under this authorisation shall not be disclosed to any third party unless such disclosure is necessary to achieve a Specified Purpose.

Notifying relevant person that their information was accessed

6. The User must notify every person whose information has been accessed from the motor vehicle register that:
 - a. The User obtained their information from the motor vehicle register; and
 - b. The relevant gazette notice under which the User had the authority to do this; and
 - c. What the information was used for; and
 - d. The person can notify the Registrar that they do not wish to have their names and addresses made available under an authorisation.

Security systems

7. Each employee of the User who accesses the motor vehicle register must have their own individual username and password and must not share this information with any other person.
8. The User must have adequate systems and policies in place that prevent unauthorised access from occurring, including measures that:
 - a. Provide security of information technology and data against unauthorised access; and
 - b. Ensure each employee of the User who accesses the motor vehicle register has completed training that complies with clauses 11 and 12; and
 - c. Ensure information accessed from the motor vehicle register is limited to information needed to achieve the Specified Purpose for which the information is accessed; and
 - d. Ensure information is retained no longer than is necessary for the Specified Purpose for which information is accessed; and
 - e. Assist the User to identify unauthorised access, or suspected unauthorised access.

Privacy breaches

9. If the User suspects that unauthorised access has occurred (including by any other person, whether or not acting with the authority of the User), the User must notify Waka Kotahi as soon as practicable but no later than 7 days, after forming a suspicion.
10. If the User finds that unauthorised access has occurred, the User must immediately notify Waka Kotahi. If the unauthorised access is likely to have caused serious harm to any person, then the User must notify both Waka Kotahi and the Privacy Commissioner.

Training

11. Employees of the User must not access the motor vehicle register unless they have completed training in accessing information in accordance with section 241 and the terms of this notice, or have otherwise made sure they fully understand all relevant legal requirements, including:
 - a. When the User can access information under section 241; and
 - b. How to ensure record keeping requirements are met; and
 - c. How to ensure information that is obtained from the motor vehicle register is protected; and
 - d. When and how to safely destroy information that was obtained from the motor vehicle register; and
 - e. Obligations under the Privacy Act 2020 and information privacy principles, including as set out in learning modules and information made available by the Office of the Privacy Commissioner.
12. Employees of the User must complete a refresher training course every 6 to 12 months after the date that they last completed the training course.

Record keeping and auditing

13. The User must keep a record of every time the motor vehicle register is accessed.
14. The record must be kept for a period of at least 18 months from the date of access.
15. The record must include:
 - a. The date the motor vehicle register was accessed; and
 - b. The identity of the person who accessed the motor vehicle register; and
 - c. The relevant plate number for the information accessed; and
 - d. The reason the User accessed the information, including an explanation and supporting material establishing that the specific circumstances fell within the Specified Purpose

16. It is not necessary to keep names and addresses obtained from the register as part of the record. Names and addresses should not be kept longer than is necessary to achieve the Specified Purpose.
17. Records must be made available to Waka Kotahi on request, as soon as practicable but no later than:
 - a. 7 days after the date of the request – if the request is in relation to an incident or suspected incident; or
 - b. 10 working days – if the request is for monitoring or auditing purposes.
18. The User must also provide any information Waka Kotahi considers reasonably necessary to determine whether and how the User complies with these conditions.

Reporting

19. Every 12 months the User must provide Waka Kotahi with a report, in a form set by Waka Kotahi, containing:
 - a. Confirmation that clauses 13 to 16 have been complied with; and
 - b. A record of training that has taken place in accordance with the requirements in clauses 11 and 12 over the last 12 month reporting period; and
 - c. All actions taken in relation to all instances, or suspected instances, of unauthorised access over the last 12 month reporting period.

Fees

20. The User must pay the applicable fees for accessing the motor vehicle register.

Other

21. If the User or any other person (whether or not acting within the authority of the User) breach any conditions, then Waka Kotahi may immediately suspend or cancel the User's access to personal information on the motor vehicle register (under section 241(6) or (2)).
22. Nothing in this notice affects the User's obligations under the Privacy Act 2020.