

Transparency Statement: Information Gathering at LINZ

This transparency statement explains how LINZ collects, uses and shares information gathered about members of the public or other entities (directly or indirectly) for the purpose of detecting or investigating potential:

- regulatory non-compliance (e.g. breaches of the Rules for Cadastral Survey 2010)
- criminal offending (e.g. offences under the Overseas Investment Act 2005)
- threats to the physical security of staff, or the security of information or places (e.g. a physical security breach, web-hacking).

We take care to exercise our information gathering powers lawfully and appropriately. We ensure there is a clear purpose and need for information gathering and meet our obligations under the Privacy Act 1993, [State Services Commission Code of Conduct](#), and SSC [Model standards for information gathering associated with regulatory compliance, law enforcement and security functions](#).

This statement applies to information gathered by us, our contractors, or any other third parties engaged by us.

What information is covered by this statement, and why do we collect it?

This section explains how we collect, use and share information when we are carrying out our regulatory compliance, law enforcement and security functions. This could include considering and investigating compliance breaches, complaints, and initiating our own investigations or inquiries.

Information may be physically collected – such as by a site inspection - or gathered using electronic means. Information may be gathered from a person or place, or from open sources (such as the Companies Office website).

Information collected directly

Most of the information we collect is provided directly by people or entities, or an authorised representative, as a requirement to fulfil statutory obligations and according to our powers as a regulator (e.g. an application made under the Overseas Investment Act 2005).

However, where we require information that is relevant to us considering and investigating compliance breaches, complaints, and initiating our own investigations or inquiries, we may gather information ourselves. This information gathering may be a statutory or inherent power.

Information collected from another person or agency

This may include us receiving or requesting information from other people or agencies. Any such information will be gathered lawfully and in compliance with any information sharing agreements, memoranda of understanding (MOUs) or similar. We will take all practicable steps to verify information received from third parties.

We may also collect publicly available information where this is relevant to carrying out our compliance functions.

Collection by third parties

Some business groups within LINZ engage third parties to collect information on LINZ's behalf. This is typically part of a wider engagement – for example, we engage property management providers to help manage land owned by the Crown, and external security firms to monitor any threats to the security of Crown-owned properties and our providers may collect information as part of this.

Information gathering by third parties is subject to standard legal limits relating to privacy, access to private property, and the privacy/security of communications by individuals, among other things. Security consultants are required to be licenced by the [Private Security Personnel Licensing Authority](#) and comply with all relevant legislation.

Third party providers who act for LINZ are required to gather information as though they were LINZ. Third party providers collect information in line with LINZ's obligations under the Privacy Act 1993, State Services Commission Code of Conduct, and Information Gathering Model Standards.

What do we do with it? Do we share it?

How we use it

In order to carry out our compliance functions, we may use the information we hold for audit or monitoring purposes. Where we identify the need to use the information to further consider or investigate compliance breaches, or complaints, or initiate our own investigations or inquiries, we will only do so if required or permitted by law or with your authorisation.

When we share it

We may share information with other Government agencies or third parties where appropriate. This information will be shared in accordance with the law and any information sharing agreements, MOUs or similar with the other agency or third party. This may include when we are considering and investigating compliance breaches, complaints, and initiating our own investigations or inquiries. We will take all practicable steps to verify information provided to third parties.

We may, for example, share information with:

- another regulator, oversight agency, or complaints body
- the other party to a complaint, for the purpose of investigating and resolving the complaint
- anyone we believe could provide information that is relevant to whether to investigate a complaint, or to an investigation or inquiry, including witnesses to complaint matters
- the Police or another government agency (for example to assist with the investigation of a criminal offence, or contravention of the law), or to report significant misconduct or breach of duty or where there is a real threat to health or safety. If our staff are threatened or abused, we may refer this to the Police.

How will we protect it?

Information is stored and retained in accordance with the Privacy Act 1993 and the Public Records Act 2005 and our internal policies, including LINZ's:

- Privacy Policy;
- Data and Information Management Policy;
- Information Gathering Policy;
- Security Policy.

For more information

To learn more about the information some specific business groups at LINZ gather, please refer to the following sections of the LINZ website. Alternatively, you can contact LINZ using the details below.

- [Overseas Investment Office – How we take action](#)
- [Land registration – Compliance review](#)
- [Surveying – Audit and quality assurance](#)

Enquiries and complaints

If you have any enquiries about our information gathering activities, or believe we have not acted lawfully or have acted inconsistently with the State Services Commission Code of Conduct in gathering information, please refer to our [complaints process](#). Alternatively, you may wish to complain to the [Privacy Commissioner](#) or [Ombudsman](#) if applicable.