

Landonline Privacy Statement

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About this statement

This statement explains how we collect, use and share personal information in connection with your use of Landonline. When we use the terms **we**, **us**, **our** or **LINZ**, we are referring to Land Information New Zealand, a department of the New Zealand Government, including the Registrar-General of Land and the Surveyor-General.

This is the Landonline privacy statement. It explains how we handle your personal information.

Defined terms and authorisations

In this statement, the terms below have the following meanings:

- An **Account Applicant** is any agency, organisation or individual that applies for a Landonline Account, until such time as they are granted a Landonline Account and become an Account Holder.
- An **Account Holder** is any agency, organisation or individual that is granted a Landonline Account. Account Holders determine which Individual Users can access Landonline on their behalf.
- An **Individual User** is a living person who is authorised by an Account Holder to use Landonline on behalf of the Account Holder. An Individual User does not have their own Landonline Account unless the Individual User applied for and was granted one as a sole practitioner, sole trader or individual.
- A **Landonline Account** is an account registered in the name of an organisation, agency or individual relating to the use by the organisation, agency or individual of Landonline, through its Individual Users.
- A **Regulatory Body** is any of the New Zealand Law Society, the New Zealand Society of Conveyancers, and the Cadastral Surveyors Licensing Board of New Zealand.

We use some defined terms in this statement. They have the meanings given to them here.

Authorisations that we obtain from individuals in relation to our collecting certain information from third parties and disclosing certain information to third parties are highlighted in yellow boxes (which appear in the main body of text). Notes in blue boxes (which appear in the margin) are summaries for your convenience.

What we collect from Account Applicants, Account Holders and Individual Users

Information from Account Applicants relating to Individual Users and administrative roles

If you apply for a Landonline Account, during the application process we will collect some or all of the following information in relation to the Individual Users you nominate in your application:

- name
- date of birth
- contact details (for example, phone numbers and email address)
- whether the person is a previous or current user of Landonline
- proof of identity (such as a certified copy of their passport, driver's licence or firearms licence), and
- proof of the Individual User's eligibility (where relevant) for certify, sign and submit privileges, such as the Individual User's practising certificate or, if a surveyor, cadastral surveyors licence.

You will also be asked to provide some or all of this information for specific administrative roles associated with your Landonline Account, such as your 'trusted contact', regardless of whether the people in these roles are also Individual Users.

If you add Individual Users to an existing Landonline Account, we will collect the information listed above (as applicable) in relation to the new Individual Users.

If an Individual User changes their name, we will require evidence of the name change (such as a marriage certificate).

If you are applying for or managing a Landonline Account on behalf of an organisation or agency, it is your responsibility to ensure you are permitted to provide this information to us.

Information collected directly from Individual Users

If you are an Individual User applying to us for access to Landonline through an Account Holder's Landonline Account, you'll be asked to provide the information listed above (as applicable to the kind of access you are requesting) to us directly.

Choice

You have a choice as to whether to provide the personal information described above. However, if you do not provide the information we ask for, we may not be able to, as applicable:

- process your application for a Landonline Account
- process your application as an Individual User to have access to Landonline on behalf of an Account Holder, or

We collect personal information from applicants for Landonline Accounts relating to their Individual Users. The information is identity-related information, contact details and, where relevant, information required in relation to people who wish to have signing rights within Landonline (such as practising certificates).

We also collect identity and contact information about people who will perform specific administrative roles.

If an Individual User requests access on behalf of an Account Holder, we'll collect the same kinds of information from them directly.

- provide or continue to provide Landonline products and services to you or your Individual Users.

What we collect from other agencies

Information from credit reference agencies

We may collect credit-related information from one or more credit reference agencies to determine whether an Account Applicant is creditworthy. In the case of Account Applicants applying for an account in their capacity as individuals, this is personal information.

We may collect credit-related information from credit agencies about Account Applicants who are individuals.

Authorisation – credit checks: If you are such an Account Applicant, you authorise us to collect this personal information from credit reference agencies rather than from you directly. We will not use information provided by a credit reference agency for any other purpose without your consent.

Information from Regulatory Bodies, Māori Land Court, and Registrar of Retirement Villages

If you are or were an Individual User and you are:

- subject to the oversight, supervision or regulation of a Regulatory Body (e.g., as a lawyer, conveyancer or surveyor), or
- an employee of the Māori Land Court or the Registrar of Retirement Villages (each an **Employer**) who, under delegation, has signing rights within Landonline,

We may collect information from Regulatory Bodies that's relevant to your Landonline privileges and our audit and assurance processes.

we may collect from the Regulatory Body or Employer, or the Regulatory Body or Employer may provide to us (without a prior request from us), information it holds that is relevant to your Landonline certify, sign and submit privileges (if you have them) and/or our Landonline-related audit and assurance processes (**Regulatory Information**). This information may include information as to whether you remain entitled to use Landonline services for which the privileges mentioned above are required and the accuracy or validity of e-dealing certifications or cadastral surveys. For example, the New Zealand Law Society and LINZ share information with each other weekly to check which Individual Users have ceased holding a practising certificate.

For Individual Users referred to above other than surveyors, most of this information is provided to us under specific legislative authority. In particular:

- under clause 7 of the Allocation of Certification Rights Standard 2018, the New Zealand Law Society (NZLS) and the New Zealand Society of Conveyancers (NZSC) are required to provide us with a list of solicitors and conveyancers (respectively) who have renewed their practising certificates at the beginning of the current registration period, the Māori Land Court (MLC) Chief Registrar needs to provide a list of current MLC officers who have delegated authority to certify MLC instruments in Landonline, and the Registrar of Retirement Villages needs to provide a list of current staff who lodge and certify Retirement Village notices in Landonline and who hold a delegation under section 88 of the

Retirement Villages Act 2003

- under clause 8 of the Allocation of Certification Rights Standard, the bodies referred to above must notify us where a person with signing rights no longer holds the appropriate authority to sign Landonline instruments
- under section 109(5) and clauses 4(h) and 6(f) of Schedule 2 of the Lawyers and Conveyancers Act 2006 (LCA), NZLS/NZSC-appointed persons examining lawyer/firm accounts may communicate matters that come to their attention to the Registrar-General of Land for the purpose of enabling the Registrar-General of Land to discharge his or her duties under the Land Transfer Act 2017 or any other enactment, and NZLS/NZSC may communicate the contents of such persons' reports to the Registrar-General of Land if the society considers it relevant to the Registrar-General of Land's discharge of duties under the Land Transfer Act 2017 or any other enactment
- under section 150(h) of the LCA, a Standards Committee that receives a report from an investigator may, in its discretion, communicate all or any part of its contents to the Registrar-General of Land for the purpose of enabling the Registrar-General of Land to discharge duties under the Land Transfer Act 2017 or any other enactment
- under section 159 of the LCA, if a Standards Committee makes a determination of the kind described in section 152(2)(a) (matter to be determined by Disciplinary Tribunal) or (b) (unsatisfactory conduct), the Standards Committee may give written notice of the determination to the Registrar-General of Land if the Standards Committee considers that such notice is or may be relevant to the discharge by the Registrar-General of his or her duties under the Land Transfer Act 2017 or any other enactment
- under section 178 of the LCA, a Standards Committee that exercises in respect of any practitioner or former practitioner or any related person or entity any power under section 164 (Intervention in relation to regulated trust accounts) or section 169 (Power to take possession of money, property, records, and documents) may give written notice to the Registrar-General of Land of the actions taken by the Standards Committee and of the circumstances that have occasioned the intervention in the practice of the practitioner or former practitioner if the Standards Committee considers that such notice is or may be relevant to the discharge by the Registrar-General of his or her duties under the Land Transfer Act 2017 or any other enactment, and
- under section 188(2)(g) of the LCA, Standards Committee officers, delegates and employees, and investigators, may communicate any matters that came to their knowledge or the knowledge of their employer through the exercise of powers conferred by the LCA, in relation to any complaint made, or inquiry or investigation conducted, under the Act, to the Registrar-General of Land for the purpose of enabling the Registrar-General of Land to discharge his or her duties under the Land Transfer Act 2017 or any other enactment.

Authorisation – other information from Regulatory Bodies and

Employers: To the extent that we collect personal information about you, as an Individual User, from a Regulatory Body or Employer (as defined above) that is not covered by these legislative provisions, you authorise us to do so for the purposes of our maintaining accurate Landonline user privileges and our audit and assurance activities associated with the operation of Landonline. We do not collect information on complaints against lawyers or conveyancers before those complaints have been referred to a Lawyers Standards Committee or a Conveyancers Standards Committee but we may collect information on New Zealand Lawyers and Conveyancers Disciplinary Tribunal orders involving lawyers or conveyancers before notice of those orders have been published in the Gazette (regardless of whether an order has been appealed). You agree that this authorisation may be relied upon by both us and the Regulatory Body or Employer.

Who will hold the information we collect

We will hold the personal information described above. It may also be stored by one or more third party service providers on our behalf. They only act on our instruction, they have been security-assessed, and we remain responsible under the Privacy Act as the "holding agency".

We hold your information and may use third party providers to store it.

How we use the information we collect

We collect the personal information described above to enable us to:

- process applications for Landonline accounts
- identify and verify the identity of Account Applicants and Individual Users they authorise to access Landonline on their behalf
- process applications by Individual Users to access Landonline via an Account Holder's Landonline Account
- check Account Applicants' creditworthiness
- provide our Landonline products and services
- communicate with you about survey and title services
- monitor the use of Landonline
- provide support to you in relation to your use of Landonline
- contact you when required
- recover unpaid fees, and
- conduct Landonline-related audit and assurance activities and undertake Landonline-related investigations.

In a nutshell, we use the personal information we collect to process applications and to provide and administer Landonline.

In relation to our undertaking Landonline-related investigations, information we obtain from an Individual User or other person, regarding their or others' use of Landonline, may be shared with other LINZ business groups in relation to our administration of Landonline and our detection and investigation of possible non-compliance with the law.

Who will see your information

Within LINZ, your information will be viewable by LINZ personnel (including the Registrar-General of Land and the Surveyor-General) who have access to it in order to perform their Landonline or regulatory functions and duties.

If you are or were an Individual User and you are or were subject to the oversight, supervision or regulation of a Regulatory Body (e.g., as a lawyer, conveyancer or licensed cadastral surveyor), or have signing rights on behalf of the Māori Land Court or Registrar of Retirement Villages (each an **Employer**), we may from time to time provide certain information to the Regulatory Body or Employer for two kinds of purposes:

- First, we may provide information relating to the fact that you are recorded in our systems as having, as applicable, a practising certificate, a licence to undertake cadastral surveys, or signing rights on behalf the relevant Employer (together, **Rights Information**). We do this to enable the Regulatory Body or Employer to check our Rights Information against its own records, with a view to informing us if you no longer have the applicable rights (for example, because you've not renewed your practising certificate or licence). This helps them comply with their obligations in the Allocation of Certification Rights Standard (described above).
- Second, we may provide information relating to your use of Landonline to the extent it is relevant to specific compliance and disciplinary processes relating to you (**Compliance Information**). We only do this when requested by the Regulatory Body or Employer or if we discover information that we reasonably believe is appropriate to draw to the Regulatory Body's or Employer's attention.

Authorisation – information to Regulatory Bodies and Employers: If you are or were an Individual User, you authorise us to provide Rights Information and Compliance Information to the applicable Regulatory Body or Employer (as defined above) in the circumstances stated above and you agree that this authorisation may be relied upon by both us and the Regulatory Body or Employer.

We may also disclose information relating to your use of Landonline if permitted or required by law to do so (for example, under section 41 of the Overseas Investment Act 2005 (Regulator may require information and documents to be provided for purpose of monitoring compliance, investigating, and enforcing Act and regulations)).

Statistical information

We collect statistical information about usage of Landonline. Site statistics allow us to assess the usage of different sections of Landonline, identify what information and features are most frequently used, monitor system performance and help us make the site more useful to Account Holders and Individual Users.

Authorised LINZ personnel will see your information. In addition, if you're subject to the oversight of a Regulatory Body or a relevant Employer, we may provide personal information to them to help them tell us if your Landonline user rights have become unauthorised or if it's relevant to their compliance and disciplinary processes. Individual Users authorise us to do this.

We collect statistical information relating to the use of Landonline. Landonline generates cookies for its login page and web-based search features.

Cookies

Cookies are small text files that are placed in your browser by the websites you visit. They are widely used to help users navigate websites efficiently, to perform certain functions on the sites and/or to provide site owners with information about how their sites are used.

Landonline generates cookies for its login page and its web-based search features. You can disable cookies through your browser settings, but this may affect your use of Landonline.

Access and correction

You have the right to access and to request correction of any of your personal information that we hold. You can correct the name details we hold about you through the Landonline website. You can find the relevant link at <https://www.linz.govt.nz/landonline-terms>. To ask us anything else in relation to your privacy, please contact us:

Legal Services
Land Information New Zealand
Radio New Zealand House
155 The Terrace
PO Box 5501
Wellington 6145
Email customersupport@linz.govt.nz

If you are not satisfied with our response, you can contact the Office of the Privacy Commissioner:

Office of the Privacy Commissioner
PO Box 10-094
The Terrace
Wellington 6143, New Zealand
Phone: 0800 803 909
Email: enquiries@privacy.org.nz

You have rights to access and request correction of your personal information that we hold.