

Telecommunications Information Privacy Code 2003
Amendment No 4

I, **JOHN EDWARDS**, Privacy Commissioner, now issue under section 51 of the Privacy Act 1993, this amendment to the Telecommunications Information Privacy Code 2003.

Issued by me at Wellington on 9 September 2015.

The SEAL of the Privacy Commissioner was)
affixed to this amendment to the)
Telecommunications Information Privacy)
Code 2003 by the Privacy Commissioner)



A handwritten signature in blue ink, consisting of a large, stylized 'J' followed by a series of loops and a long horizontal stroke.

John Edwards

Privacy Commissioner

1. Title

This amendment is the Telecommunications Information Privacy Code 2003 Amendment No 4.

2. Commencement

This amendment will come into force on 15 October 2015.

3. **Amendment to clause 3 (Interpretation)**

The clause 3 definitions below are amended in the following manner:

call associated data

Delete: section 2(1) of the Telecommunications (Residual Provisions) Act 1987

Substitute: section 3(1) of the Telecommunications (Interception Capability and Security) Act 2013

telecommunications service provider

Delete: telecommunications service provider

Substitute: telecommunications service obligation provider or TSO provider

4. **Amendment to clause 4 (Application of code)**

Clause 4(2)(b) is amended as follows:

Delete: a telecommunications service provider

Substitute: a telecommunications service obligation provider or TSO provider

5. **Amendment to clause 5 (Telecommunications information privacy rule 10)**

(1) Rule 10(1)(a) is amended by inserting the following after “publicly available publication”:

Insert: “and that, in the circumstances of the case, it would not be unfair or unreasonable to use the information”

(2) Rule 10(1)(d) is amended in the following manner:

Delete: and imminent

6. **Amendment to clause 5 (Telecommunications information privacy rule 11)**

(1) Rule 11(1)(b) is amended by inserting the following after “publicly available publication”:

Insert: “and that, in the circumstances of the case, it would not be unfair or unreasonable to disclose the information”

(2) Rule 11(1)(g) is amended in the following manner:

Delete: and imminent

7. Amendment to clause 5 (Telecommunications information privacy rule 12)

Rule 12(2)(a) is amended in the following manner:

Delete: section OD7 of the Income Tax Act 1994

Substitute: subpart YB of the Income Tax Act 2007