

# Guidance: help us help you!



Steph Gregor, Capability & Guidance Manager

# Today, I will cover:

- OPC's evolving approach to guidance
- How we decide what guidance to write
- How we run our guidance drafting and consultation process
- Questions for you! – think about any feedback you want to give us on our existing guidance (positive and negative)
- Chance for you to ask me questions



Privacy Commissioner  
Te Mana Mātāpono Matatapu

# OPC's evolving approach to guidance

- Specificity where we can, but still leaving room for agencies to take their own circumstances into account
- Increased use of hypothetical examples and use cases
- Targeted consultation on bigger pieces of guidance



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## Privacy Act guidance for landlords and property managers



February 2025

## Working with third-party providers: understanding your privacy responsibilities



November 2024

## Privacy complaints

### Handling privacy complaints: a step-by-step guide

When your organisation receives a privacy complaint from someone you need to act quickly and decisively. Individuals need to try and work with organisations first to resolve their complaint before they can complain to the Privacy Commissioner, so it's important that you have a process to deal with complaints.

[Read more detailed guidance on handling privacy complaints.](#)

## Biometric Processing Privacy Code - guide



# Guidance on IPP3A

Notification requirements for indirect collection of personal information



October 2025

# Guidance on IPP3A(5) – Archiving in the public interest



Guidance for GLAM sector

October 2025

## HIPC Rule 3A: Notification requirements for indirect collection of health information

[Print](#) | [Email this page](#)

IPP3A is about an agency's obligations when it collects personal information indirectly (collecting from someone other than the person themselves).

Under IPP3A, if an agency collects someone's personal information indirectly, they are required to notify them, unless one of the listed exceptions applies.

We have [general guidance on the requirements of IPP3A and how agencies can meet their obligations](#).

On this page:

- How does this impact the Health Information Privacy Code (HIPC)?
- What are the requirements of Rule 3A?
- What are the differences between the rule 3 and rule 3A requirements?
- What are 'reasonable steps'?
- Timing of notification
- Notification requirements
- What are the exceptions?
- Rule 3A(3): Individual has already been made aware
- Rule 3A(4)(a): Compliance would prejudice the interests of the individual concerned
- Rule 3A(4)(b): Compliance would prejudice the purposes of the collection
- Rule 3A(4)(c): Compliance is not reasonably practicable in the circumstances
- Rule 3A(4)(g): The health information was collected for the purpose of assembling a family or genetic history of an individual from that individual
- Notifying an individual's representative





# AskUs

The AskUs knowledge base provides general guidance about privacy issues, not legal advice.  
For requests about your specific circumstances, or about a complaint you have lodged with us, please [contact us](#) directly.

### FEATURED ARTICLES

#### Is my neighbour allowed to film our property with a security camera?

While it is certainly not polite or neighbourly to film across a fence, the actions of a neighbour acting in their personal capacity will generally not be covered by the Privacy Act. The Privacy Act...

#### How can I hide my identity for safety reasons?

Yes, there are ways you can protect your family's safety. But first, you can go to the police for help with violence or in a...

# Poupou Matatapu

Doing privacy well

### Explore the 10 pou

Governance

Know your personal information

Security and Internal Access Controls

Transparency

Building Capability and Awareness

Breach management

Responding to requests and complaints well

Assessing risk

Measure and monitor

Privacy Management Plan

# How we decide what guidance to write

- New legislation
- Common areas of confusion
- Guidance requests
- Hot topics

# Our guidance writing process

- Planning – what do we want to get across?
- Format – is long form or short form more useful?
- First draft
- Internal consultation and engaging SMEs to make sure we haven't missed anything out
- Targeted external consultation (or wider consultation, eg IPP3A or biometrics)
- Re-review, final sign out by Commissioner



# How we follow the guidance up

- Presentations
- AskUs questions to complement the guidance
- Answering ad hoc questions from agencies – but we are trying to move away from this because





**IPP3A: getting ready for 1 May 2026**

PrivacyNZ

# IPP3A

getting ready for 1 May 2026



with Steph Gregor, Manager  
Capability and Guidance



**We're trialing  
presenting our  
guidance in  
different formats**

# Now it's time to have your say!

- Type your response in the chat, my team is recording everyone's thoughts
- We've turned anonymous commenting on (I understand that agencies might not want to publicly give the regulator constructive criticism!)
- Please be honest but still respectful

Question 1: what piece of guidance that we've already published on our website helped you the most?

Question 2: what was it about the guidance that you found the most helpful?

Question 3: is there a piece of guidance that you don't find helpful, or where we've missed a trick? What guidance was it, and why?

Question 4: what one piece of guidance (that we don't currently have) would be of most use to you?

Question 5: what do you want to see us do more of (content or format, or both)

Question 6: what do you want to see us do less of?

Question 7: is there any other comment you want to share with us or question you have for me?

# How we will use what we've learned today

- We'll look through it all carefully when we put together our guidance plan for next year
- We'll consider all suggestions for new pieces of guidance
- If you want to provide further feedback or answers to any of these questions, please email us: [guidance@privacy.org.nz](mailto:guidance@privacy.org.nz)



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**Thanks for coming 😊**



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