

HEALTH INFORMATION PRIVACY CODE 1993 1993/1/2
(TEMPORARY) AMENDMENT NO.1

The Privacy Commissioner issues this amendment to the Health Information Privacy Code 1993 (Temporary) under section 51, and in accordance with section 52, of the Privacy Act 1993.

1. Title

This amendment may be referred to as the Health Information Privacy Code 1993 (Temporary) Amendment No.1.

2. Commencement and Expiry

- (a) is issued on 8 February 1994; and
- (b) will come into force on 9 February 1994; and
- (c) will expire on 30 June 1994.

3. Amendment to Rule 11

Rule 11 is amended in the following manner :

Delete : Rule 11 (6)(b)

Substitute : "(b) any provision that is contained in any enactment that authorises or requires personal information to be made available, except that, where under section 22F(1) of the Health Act 1956 the individual concerned or a representative of that individual requests that health information be disclosed to that individual or representative, a health agency shall:

- (i) treat any request by that individual as if it were a health information privacy request made under rule 6 of this code and Parts IV and V of the Privacy Act shall apply accordingly; and
- (ii) may refuse to disclose information to the representative if:
 - (a) the disclosure of the information would be contrary to the individual's interests; or
 - (b) the agency has reasonable grounds for believing that the individual does not wish the information to be disclosed; or
 - (c) there would be good grounds for withholding the information under Part IV of the Privacy Act if the request had been made under rule 6 of this code."

Issued at Auckland this 8th day of February 1994

The Seal of the Privacy Commissioner was affixed to this amendment to the Health Information Privacy Code 1993 (Temporary) by the Privacy Commissioner.


B.H. Slane
Privacy Commissioner

