

Amendment No 1 to the Telecommunications Information Privacy Code 2020

This background paper explains our proposed amendments including changes following feedback in submissions.

We consulted on proposed Amendment No 1

On 8 May the Privacy Commissioner publicly notified on Proposed Amendment No 1 to the [Telecommunications Information Privacy Code 2020 \(TIPC\)](#) and invited submissions. The amendment was intended to:

- **support search and rescue operations** by explicitly allowing for an emergency service provider to share location information with volunteers or others working on its behalf to support a search and rescue operation.
- **ensure the Code fits with the new operational structure for emergency location information** by ensuring those changes do not unintentionally prevent some emergency service providers from accessing location information, and also by making sure requirements to log disclosures of device location without a 111 apply where operational use is by the same agency which is responsible for the overall emergency location system.
- **fix errors, remove unnecessary words, and make wordings clearer.**

Submitters supported the proposed approach

We received submissions from five organisations. All five were supportive of the proposed approach. One suggested a drafting change to make our proposed wording in relation to enabling sharing for search and rescue purposes clearer.

All submissions have been carefully considered by the Commissioner before issuing the amendment and will be made available at privacy.org.nz. Having considered the submissions, the Commissioner issued the amendment on 30 October 2025 with both substantive and technical changes. This paper briefly explains the changes.



What's changed in the final amendment?

We have made some changes based on feedback received in submissions.

1. Drafting approach to location sharing for search and rescue purposes

One submitter suggested that adding new rules on sharing of location information at the end of Schedule 4 might not be clear enough for people who read the general rules on sharing of this information in clause 3. We made changes in response, and all of these changes are now included in clause 3.

Together, changes to clause 3(1)(b) and new clause 3(8) allow for a location agency to share emergency location information to an individual or agency which is not a location agency if they are helping to locate and rescue the individual concerned.

We are also making further technical changes and corrections

In the process of considering submissions and changes to the Code, we found more mistakes and unclear wordings to fix. We also found that some of our changes to Schedule 4 will also require changes to the body of the Code.

2. Changing wording to “relevant public sector agency” in the whole Code

We proposed to replace the term “relevant government agency” with “relevant public sector agency” in Schedule 4. The amendment now makes that same change throughout the Telecommunications Information Privacy Code 2020.

3. Removing redundant words

The amendment removes the words “from the ELIS” in clause 2(1) of Schedule 4.

4. Replacing the term “ELI” with “DLI” in clause 7

The amendment replaces the term “ELI” with “DLI” in clause 7(3)(d) of Schedule 4.

5. Minor additions and changes to the body of the TIPC

The amendment adds a new heading before TIPC clause 1 and reinserts in clause 4 a statutory definition of “call associated data” which was repealed on 1 October by the Budapest Convention and Related Matters Legislation Amendment Act 2025.



Summary of changes made by Amendment No 1

Substantive changes to Schedule 4

What is the change?	Clauses added or changed
1. Allow for sharing of an individual's emergency location information from an emergency service provider to a person or organisation who is acting on their behalf to locate and rescue the individual concerned, in a way that is clear to people reading rules for sharing location information in clause 3.	3
2. Remove "New Zealand Search and Rescue" from the list of emergency service providers.	1, 3(3)
3. Change wording to prevent relevant agencies from accessing location information "directly from the ELIS" and enable access via the relevant public sector agency as intended.	3(3)
4. Add a provision requiring the relevant public sector agency to log its own operational uses of DLI for the purpose of supporting emergency responses whether or not these are disclosures.	7(4)
5. Replace "relevant government agency" with "relevant public sector agency" in definitions and throughout the Code.	1, 2, 3, 4, 6, 7, 8. Also in the body of the Code at clause 5(2)(h)(i), Rule 11(1)(j).

Fixing errors and other technical changes

What is the change?	Where changes are made
6. Remove redundant wording "from the ELIS".	2(1)
7. Correct "monitoring the auditing" to "monitoring and auditing" in the secondary permitted purpose	1
8. Correcting the cross-reference to the right letter under "emergency service provider" in clause 1	2
9. Replacing "ELI" in clause 7 with "DLI"	7
10. Amending the wording for timing of disclosure log reporting to start "Every three months..."	8(3)
11. Correcting the full legal name for St John	1
12. Reinserting a definition of "call associated data" which was repealed on 1 October 2025	TIPC clause 4
13. Adding a heading "Part 1: preliminary provisions"	TIPC before clause 1.

