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## **Telecommunications Information Privacy Code 2020 Amendment No 1**

This amendment to a code of practice is made under section 37 of the Privacy Act 2020 by the Privacy Commissioner.

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## **Amendment to the Telecommunications Information Privacy Code 2020**

### **1 Title**

This is the Telecommunications Information Privacy Code 2020 Amendment No 1.

### **2 Commencement**

This amendment comes into force on 8 December 2025.

### **3 Interpretation**

In this amendment,—

**Code** means the Telecommunications Information Privacy Code 2020

**Schedule** means Schedule 4 of the Code.

## **Part 1 Amendments to the Code**

### **4 Heading inserted**

Insert "Part 1: Preliminary provisions" as a heading before clause 1 of the Code.

### **5 Clause 4 of the Code (Interpretation) amended**

In clause 4(1) of the Code, definition of **call associated data**, replace "has the same meaning as in section 3(1) of the Telecommunications (Interception Capability and Security) Act 2013" with "in relation to a telecommunication,—

(a) means information—

- (i) that is generated as a result of the making of the telecommunication (whether or not the telecommunication is sent or received successfully); and
- (ii) that identifies the origin, direction, destination, or termination of the telecommunication; and

(b) includes, without limitation, any of the following information—

- (i) the number from which the telecommunication originates;
- (ii) the number to which the telecommunication is sent;
- (iii) if the telecommunication is diverted from one number to another number, those numbers;
- (iv) the time at which the telecommunication is sent;
- (v) the duration of the telecommunication;
- (vi) if the telecommunication is generated from a mobile telephone, the point at which the telecommunication first enters a network; but

(c) does not include the content of the telecommunication".

**6 Clause 5 of the Code (Application of code) amended**

In clause 5(2)(h)(i) of the Code, replace "government agency" with "public sector agency".

**7 Rule 11 (Limits on disclosure of telecommunications information) amended**

In subrule 11(1)(j) in clause 6 of the Code, replace "government agency" with "public sector agency".

**Part 2  
Amendments to Schedule 4 of the Code**

**8 Clause 1 (Interpretation) amended**

In clause 1 of the Schedule,—

- (a) definition of **Emergency Location Information (ELI)**, after "DLI;" insert "and"
- (b) definition of **emergency service provider**,—
  - (i) paragraph (c), replace "NZ" with "New Zealand":
  - (ii) delete paragraph (e):
  - (iii) paragraph (g), replace "government agency" with "public sector agency":
  - (iv) paragraph (g), delete "from the ELIS"
- (c) definition of **location agency**, paragraph (c), replace "government agency" with "public sector agency"
- (d) definition of **permitted secondary purpose**, paragraph (b),—
  - (i) replace "monitoring the auditing" with "monitoring and auditing"
  - (ii) replace "government agency" with "public sector agency"
- (e) revoke the definition of **relevant government agency**
- (f) insert in its appropriate alphabetical order:

**relevant public sector agency** means the public sector agency responsible for the ELIS.

**9 Clause 2 (Additional agencies authorised to receive ELI from the ELIS) amended**

- (1) In the heading of clause 2, delete "from the ELIS".
- (2) In clause 2(1),—
  - (a) replace "(e)" with "(g)"
  - (b) replace "government agency" with "public sector agency"
  - (c) delete "from the ELIS".
- (3) In subclause 2(1)(b), delete "from the ELIS".

**10 Clause 3 (Collection, use, disclosure and accuracy of ELI) amended**

- (1) In clause 3(1)(b), after "to another location agency", insert "or to a person permitted by subclause 3(8)".
- (2) In clause 3(2), replace "government agency" with "public sector agency".
- (3) Replace clause 3(3) with:

Maritime New Zealand or any agency authorised under clause 2 to receive ELI must not collect ELI directly from the ELIS.
- (4) Insert clause 3(8):

A location agency may disclose ELI to any agency or person who is acting on behalf of that location agency to locate and rescue that individual.

**11 Clause 4 (Notice of collection) amended**

In clause 4(1), replace "government agency" with "public sector agency".

**12 Clause 6 (Retention of ELI) amended**

In clause 6(2), replace "government agency" with "public sector agency".

**13 Clause 7 (Safeguards to ensure compliance) amended**

- (1) In clause 7(3), replace "government agency" with "public sector agency".
- (2) In clause 7(3)(d), replace "ELI" with "DLI".
- (3) Insert clause 7(4):

For the avoidance of doubt, where the relevant public sector agency uses DLI for either:

  - (a) the permitted primary purpose; or
  - (b) paragraph (a) of the permitted secondary purpose,

it must treat this as a disclosure of DLI for the purposes of clause 7(3).

**14 Clause 8 (Assurance of compliance) amended**

- (1) In clause 8(1), replace "government agency" with "public sector agency".
- (2) In clause 8(2), replace "government agency" with "public sector agency".
- (3) In clause 8(3),—
  - (a) insert "Every three months," at the beginning of the subclause
  - (b) replace "The relevant government agency" with "the relevant public sector agency"
  - (c) after "the Commissioner", delete ", every three months,".

I, MICHAEL LINDO CHARLES WEBSTER, Privacy Commissioner, having given notice in accordance with section 33(3) of the Privacy Act 2020 of my intention to issue an amendment to a code of practice, now issue under section 37 of the Privacy Act 2020, this amendment to the Telecommunications Information Privacy Code 2020.

Made at Wellington on 30 October 2025.

The SEAL of the Privacy Commissioner was )  
 affixed to this amendment to the ) [L.S.]  
 Telecommunications Information Privacy Code 2020 )  
 by the Privacy Commissioner )

Michael Lindo Charles Webster  
 Privacy Commissioner

### Explanatory note

*This note is not part of the code of practice amendment but is intended to indicate its general effect.*

This amendment amends the Telecommunications Information Privacy Code 2020, following the transfer of the emergency caller location information (ECLI) system from the Ministry of Business, Innovation and Employment (previously the **relevant government agency**) into Next Generation Critical Communications, an independent business unit homed within New Zealand Police (which will now be described as the **relevant public sector agency**).

It is intended to clarify that a location agency is not prevented from disclosing information it holds with another agency or person who is working that location agency to locate and rescue an individual, for example, when there is a group of volunteers searching for that individual.

It also reinstates the definition of **call associated data** which was repealed from the Telecommunications (Interception Capability and Security) Act 2013 on 1 October 2025.

This is secondary legislation issued under the authority of the <a href="#">Legislation Act 2019</a> .	
Title	Telecommunications Information Privacy Code 2020 Amendment No 1
Principal or amendment	Amendment
Consolidated version	No
Empowering Act and provisions	Privacy Act 2020, section 37

Telecommunications Information Privacy Code 2020 Amendment No 1

Replacement empowering Act and provisions	Not applicable
Maker name	Privacy Commissioner
Administering agency	Office of the Privacy Commissioner
Date made	30 October 2025
Publication date	5 November 2025
Notification date	5 November 2025
Commencement date	8 December 2025
End date (when applicable)	Not applicable
Consolidation as at date	Not applicable
Related instruments	Telecommunications Information Privacy Code 2020 <a href="https://www.privacy.org.nz/assets/New-order/Privacy-Act-2020/Codes-of-practice/Telecommunications-information-privacy-code-2020/Telecommunications-Information-Privacy-Code-2020-website-version.pdf">https://www.privacy.org.nz/assets/New-order/Privacy-Act-2020/Codes-of-practice/Telecommunications-information-privacy-code-2020/Telecommunications-Information-Privacy-Code-2020-website-version.pdf</a>