



F. Landis  
Fyi.org.nz

By email: [fyi-request-13407-52dad3fc@requests.fyi.org.nz](mailto:fyi-request-13407-52dad3fc@requests.fyi.org.nz)

4 August 2020

Dear F. Landis,

Thank you for your request dated 28 July 2020 in regards to the legislation for listening to, recording and sharing of air traffic control radio voice communications.

Section 133A of the Radiocommunications Act 1989 (the Act)<sup>1</sup> prohibits people who receive a radiocommunication, knowing it was not intended for them, to use, reproduce or disclose its existence. In essence, the section protects the confidentiality of radiocommunications. This principle of confidentiality is mandated by the International Radio Regulations which are promulgated by the International Telecommunications Union, of which New Zealand is a signatory.

There are several groups that have expressed the need for s 133A of the Act to remain in effect. For instance, Airways New Zealand has previously advised that they do not want staff to be distracted from work in core safety areas by concerns that their communications could be reproduced.

Yours Sincerely

Len Starling, Manager Radio Spectrum Management Policy and Planning.

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<sup>1</sup> Available online at <http://legislation.govt.nz/act/public/1989/0148/latest/link.aspx?id=DLM197387>