

Phil Lyth

[fyi-request-3610-a8712799@requests.fyi.org.nz](mailto:fyi-request-3610-a8712799@requests.fyi.org.nz)

Dear Phil

**Request made under the Official Information Act 1982**

Thank you for your email of 4 February 2016 requesting the following information under the Official Information Act 1982:

- *"I refer to an authority to access certain information Gazetted. The authorisation requires that Veda Advantage (NZ) Limited must provide an annual report to the Secretary for Transport on Veda Advantage (NZ) Limited's compliance with the conditions set out in this letter by 1 May each year beginning with 1 May 2012 (this requirement may be incorporated into the company's usual audit practices). I request a copy of each such report received, and the date on which it was received".*

The Gazette notice you refer to is for authorised access to certain name and addresses held on the Motor Vehicle Register. In accordance with your request, please find attached a copy of each annual report received from 2012.

In order to protect the privacy of the individuals who sent the report, their names and contact details have been withheld under section 9(2)(a) of the Official Information Act. This section allows for the withholding of information to protect the privacy of natural persons. With respect to the information that has been withheld, I do not consider there are any other factors which would render it desirable, in the public interest, to make the information available.

If you wish to have this request reviewed or investigated by way of complaint under section 28(3) of the Official Information Act, more information can be found on the Ombudsman's website at:

[www.ombudsman.parliament.nz/make-a-complaint](http://www.ombudsman.parliament.nz/make-a-complaint).

If you would like to discuss this reply with the Transport Agency, please contact Alex McMinn, Customer Response Team, by email to [ministerialsau@nzta.govt.nz](mailto:ministerialsau@nzta.govt.nz) or by phone on 0800 822 422.

Yours sincerely



**Michelle Charlton**

Manager, Customer Information  
For Chief Executive

26 April 2012

**For: Martin Matthews**

Ministry of Transport  
Te Manatu Waka  
PO Box 3175  
WELLINGTON 6140

Dear Sir,

**Authorisation Under Section 241 Land Transport Act 1998 - Annual Report**

This letter comprises Veda Advantage (NZ) Limited's annual report on its compliance with the conditions set out in your letter of 4 April 2011 on our authorisation to access names and addresses held on the Motor Vehicle Register.

We comment on each condition as follows:

1. We confirm the names and addresses from the Motor Vehicle Register are accessed only by clients of Veda Advantage (NZ) Limited whose use of the information is regulated by contract with us. We require our clients to confirm they access those details on their own behalf (we do not allow agency usage) and that such usage is on their own behalf.
2. The names and addresses are accessed only for the specified purposes set out in your letter of 4 April 2011 ("specified purpose").
3. The fees charged for the provision of names and addresses from the Motor Vehicle Register are duly paid.
4. Veda Advantage (NZ) Limited requires as a term of its contractual agreement with its clients that its clients only access personal information from the Motor Vehicle Register for a specified purpose or for a purpose set out in section 235 of the Land Transport Act 1998. Veda Advantage (NZ) Limited would enforce this term if it became necessary to do so (which it has not to date). Veda Advantage (NZ) Limited also informs its clients of this condition by configuring the access by web to draw attention to this at point of access.
5. There have been no identified instances of unauthorised access and therefore Veda Advantage (NZ) Limited has not needed to make a notification to the Secretary for Transport or the Privacy Commissioner.
6. Veda has processes in place so that before its staff are permitted to access the Motor Vehicle Register under section 241, such staff receive training that emphasises any such access must only be for a specified purpose. Refresher training of such staff has been and will continue to be also undertaken at appropriate intervals.

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7. Veda Advantage (NZ) Limited has processes in place so that access by its staff is restricted to those members of staff for whom authorised access is required in order to provide Veda's services.
8. The names and addresses obtained by Veda subscribers should not be disclosed to any third party unless this disclosure is necessarily incidental to achieving a specified purpose. Veda controls this obligation by requiring in its subscriber agreement that its subscribers use information only for their own internal business purposes (Veda Advantage refers to clause 2.5 of its subscriber agreement).

Should any questions arise in respect of this report, please contact the writer.

Veda is proactively committed to improving our compliance framework on an on-going basis.

Yours faithfully  
Veda Advantage (NZ) Limited



[REDACTED] NZ Legal Counsel

veda  
applied intelligence



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OFFICIAL INFORMATION ACT

12 Queen St Auckland, PO Box 912012, Auckland Mail Centre 1142, New Zealand

P: [REDACTED] | M: [REDACTED] | E: [REDACTED]

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30 April 2013  
For: David Bowden

By Email: David Bowden (d.bowden@transport.govt.nz)  
Ministry of Transport  
Te Manatu Waka  
PO Box 3175  
WELLINGTON 6140

Dear David,

**Authorisation under Section 241 Land Transport Act 1998 ("the Act") - Annual Report**

**Executive summary:**

1. This letter comprises Veda Advantage (NZ) Limited (Veda)'s annual report on its compliance with the conditions set out in the Ministry's letter of 4 April 2011 on our authorisation to access names and addresses held on the Motor Vehicle Register.
2. Veda, as a credit reporter, is also a custodian of personal information. The Office of the Privacy Commissioner (the OPC) directly regulates credit reporting and Veda is fortunate to have regular interaction with the OPC (here and in Australia); with the governments in Australia and in the countries where Veda International supports and runs credit bureau. Veda welcomes an opportunity to improve data protection and compliance frameworks in order to assist with this reporting. We see this as an on-going process.
3. Veda regards privacy and best practice governance as essential. Compliance is an on-going journey of continuous improvement. Regulatory compliance is important to Veda and to the Veda Group.
4. Regulatory compliance is an essential part of Veda's value proposition as a trusted custodian of data, a trusted business partner and an employer.
5. We note that across government there has been a recently heightened interest in addressing privacy.
6. The work undertaken to date illustrates how we have addressed the Ministry's expressed concerns about specific matters. We understand that the steps we have taken and committed to do meet what the Ministry requires. As a result of these measures we are now fully compliant. We value our regular interaction with the Ministry and propose to continue this interaction so that you are kept apprised of relevant developments.
7. The Ministry granted Veda's authorisation under section 241 of the Act at an early stage and thereafter granted over one hundred further authorisations. Those more recent grants were made in a context where greater guidance and controls were imposed. What was initially required of Veda was less detailed.
8. Some Veda customers became eligible for access under Gazette Notices issued after Veda's authorisation and then sought to access under such authorisations but through Veda. This meant there was overlap between such accesses.
9. As a result of the detailed interaction between Veda and the Ministry Veda has an improved awareness of what the Ministry now requires and has made phased changes to address express points raised by the Ministry. The Ministry is aware that there will be continual engagement as Veda implements what is required. Controls at User level rather than Client level have been implemented and more are to

come. Veda values and welcomes the opportunity to have such guidance and to consult on how the section 241 authorisation is addressed.

10. The Ministry has indicated that illustration of relevant controls and evidence of the points detailed in this assurance report will be required of Veda.

## OIA

11. We note that many aspects of our report are commercially sensitive, supplied in confidence, and we have therefore excised them from the version of the report which might be made publically available in the context of an application under the Official Information Act 1982 (the OIA). We have marked in blue the parts which we are excising and prepared a separate excised report which we will send together with this letter.

### Formal report

We comment on each condition of access as follows:

1. We confirm the names and addresses from the Motor Vehicle Register are accessed only by customers of Veda Advantage (NZ) Limited whose use of the information is regulated by contract with us. We require our customers to confirm they access and use those details on their own behalf (we do not allow "agency" usage).
  - a. We have addressed our compliance to meet the Ministry's requirements. We have reviewed all customer access to address questions asked of us by the Ministry. We did this in a phased approach.
  - b. Initially we had a two phased approach – which we detailed to the Ministry in January 2013.
  - c. Primarily the Subscriber Agreement is in place and acts as a control on access and use.
    - i. The contractual control is analogous to that which applies in consumer credit reporting.
    - ii. This model was designed by the Privacy Commissioner in the Credit Reporting Privacy Code 2004
    - iii. It is well understood by us.
    - iv. We believe that the model was adopted because it was consistent with privacy law.
    - v. It will remain at the heart of the controls in place.

Secondly, we have addressed systems changes designed and built to manage authorisations at Client and User level – these had a release date of 24<sup>th</sup> April 2013.

2. The names and addresses are accessed only for the specified purposes set out in the Ministry's letter of 4 April 2011 ("specified purpose").
  - d. We are compliant
  - e. These are not the only purposes which we understand we may rely upon. This has been discussed with the Ministry. After the purposes were granted (4 April 2011) some additional section 241 accesses were permitted to some of our customers (defined by reference to membership of an affected class) and detailed in respective Gazette Notices. These are all included and detailed below together with our compliance measures.

Affected Class	Motor Vehicle Business Activity	Purpose for access
Gazette Notices	Registered Motor Vehicle Trader	To facilitate safety recalls and service campaigns for MV's
		To assist in verifying person(s) registered when the vehicle is being considered for purchase by the MV Trader from another person
		To assist in verifying that change of registered persons has been completed correctly
		Any other purpose necessary to facilitate the sale or purchase of a motor vehicle, other than for marketing purposes.
	Registered Financial Service Provider	To check or confirm details where the Registered Financial Services Provider has an existing interest in the relevant motor vehicle, either in the form of a Personal Properties Securities Register (PPSR) interest or similar security interest
		To assist in verifying the owner of a motor vehicle when assessing an application to provide finance in relation to that vehicle
	Registered Financial Service Provider - Insurer	To obtain names and addresses of persons registered in respect of vehicles that have been involved in motor vehicle accidents with the Insurer's clients
To obtain name and address details to assist in verifying that payment for claims are made to the owner of the vehicle		
For any other purpose that is reasonably required for the purpose of assessing or processing an insurance policy or claim in relation to a motor vehicle		
Service Station	To trace registered persons in respect of vehicles where the occupants fail to pay for goods or services from a Service Station	
Standard s241	Security Interest in a Vehicle	To obtain personal information about registered persons where the client has a security interest in the relevant vehicle.
	Credit Provider	To verify information provided by their customer(s).
	Debt Collector	To assist in recovering debts where the client has a Security interest in the relevant vehicle, or has been engaged as an agent (e.g. debt collector) by a person who has a security interest in the relevant vehicle.
	In Lawful Possession of a Vehicle	To obtain contact details to allow registered persons to be contacted where the client is in lawful possession of the vehicle, but the owner is unknown.
s235	Authorised under Section 235 of the Act	For enforcement of the law
		Maintenance of the security of New Zealand
		Collection of charges imposed or authorised by an

	enactment
	Administration and development of transport law and policy.

3. The fees charged for the provision of names and addresses from the Motor Vehicle Register are duly paid by us.
  - a. We are compliant.
  - b. Fees are paid monthly by our Finance Department located in Sydney, Australia.
  
4. Veda requires as a term of its contractual agreement with its customers that its customers only access personal information from the Motor Vehicle Register for a specified purpose or for a purpose set out in section 235 of the Land Transport Act 1998. Veda also informs its customers of this condition by configuring access via web to draw attention to this at point of access. Veda, as detailed elsewhere in this report has been implementing improvements in a phased approach to ensure compliance. We detailed this in our weekly reports sent to the Ministry and in outline below:
  - a. We are compliant.
  - b. Our customer access Guides and FAQs, Client and User Application Forms – clearly informing all customers that they cannot access name and address information (for individuals) for any other purpose than those listed on the Client Account Access Application Form.
  - c. We have made changes to the way in how customers are managed
  - d. System Design – separate processes for s241 and s237 (d) requests
    - I. We have documented our processes and how requests are sent/received to and from the NZTA -materials already provided.
    - II. You will see that that our section 241 and section 237(d) requests are both separate.
    - III. As the Ministry stated to us previously, this “is appropriate – the two are available through separate sections of the Land Transport Act and it would not be appropriate to have section 241 query return information that is not available under section 241. The way the NZTA does this is to require a section 241 query to be carried out first. Only if this does not return the relevant information can the other streamlined query be undertaken”.
    - IV. As noted below in point 3, we are also restricting the streamlined query (s237 (d)) to a limited number of customers.
  - e. S237(d) access
  - f. Web screen mock ups – User Access
  
5. There has been one identified instances of unauthorised access and Veda has made a notification to the Secretary for Transport.
  
6. Veda has processes in place so that before its staff are permitted to access the Motor Vehicle Register under section 241, such staff receive training that emphasises any such access must only be for a specified purpose. Failure to comply with and meet expectations regarding training may become a disciplinary matter which could, lead to termination of employment. Refresher training of such staff has been and will continue to be also undertaken at appropriate intervals.
  - a. In addition:
    - i. We have detailed policies including a Group Data Security Policy in place for all Veda Employees.
    - ii. It has been identified that the only staff whom require Section 241 access are as follows:

- ...only Users that sit within these departments will be granted Section 241 access. All other staff will automatically default to the Standard Level of access.

7. Veda has processes in place so that access by its staff is restricted to those members of staff for whom authorised access is required in order to provide Veda's services.

- As mentioned above; only Users that sit within these departments will be granted Section 241 access.
- All other staff will automatically default to the Standard Level of access.

8. The names and addresses obtained by Veda customers should not be disclosed to any third party unless this disclosure is necessarily incidental to achieving a specified purpose. Veda controls this obligation by requiring in its subscriber agreement that its customers use information only for their own internal business purposes (Veda refers to clause 2.5 of its subscriber agreement below).

2.5 *You must use the reports and information we supply you only for your internal business use. But you may disclose information we supply you in accordance with your statutory obligations, including to the individual the information is about. You must not:*

- give our reports or information to anyone else;*
- reproduce or copy the reports or information we supply you, except to the extent this is an integral part of our information service. If you use our information service electronically, you may retain a printout of any report we supply you.*

*Note: For example, if we deliver reports electronically, saving them onto your system, or printing them for your file, is an integral part of the information service; or if we deliver information to you by a stream of data (instead of by report), the information will be copied into your system and reprocessed as part of your credit approval process. If you have any questions about whether you can reproduce or copy reports or information, please contact us.*

*We have copyright in the compilation of the information we use to supply information services to you, and in the reports we supply to you when you use our information services.*

*Note: For example, this means that you cannot re-sell, re-package or otherwise re-use our information other than as permitted under this agreement.*

9. Additional controls:

a. Training/Process documentation

- Training has been provided to a number of customers and Veda staff throughout this enhancement process.
- Information guides and FAQ documents have been provided to every Motor Vehicle Client detailing what they can/cannot access for.
- Guides for Users have also been created to share with all Motor Vehicle clients and their Users.
- Other documentation includes:
  - Product Snapshots
  - Access: 'How to Guide' and FAQ's
  - User manuals – for each of the levels of access.

b. Product enhancements – Registered Person: Verification



10. Auditing Logs are kept.

Veda suggests that we set up a meeting at which such logs for the year and other sensitive information which may be of interest could be provided. We look forward to agreeing on dates for this.

Should any questions arise in respect of this report, please contact the writer.

Veda is proactively committed to improving our compliance framework on an on-going basis.

Yours faithfully  
Veda Advantage (NZ) Limited

██████████ General Manager Product & Operations



CPO Level 1, 12 Queen Street, Auckland 1010, New Zealand

P: ██████████ | M: ██████████ | E: ██████████

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RELEASED UNDER THE  
OFFICIAL INFORMATION ACT

29 April 2014

**For: David Bowden**

Ministry of Transport  
Te Manatu Waka  
PO Box 3175  
WELLINGTON 6140

Dear Sir,

**Authorisation Under Section 241 Land Transport Act 1998 - Annual Report**

This letter comprises Veda Advantage (NZ) Limited's annual report on its compliance with the conditions set out in your letter of 4 April 2011 on our authorisation to access names and addresses held on the Motor Vehicle Register. It has been sent in two versions- this version and the redacted version which redacts the commercially sensitive portion of the report.

Veda, as a credit reporter, is also a custodian of personal information. The Office of the Privacy Commissioner (the OPC) directly regulates credit reporting and Veda is fortunate to have regular interaction with the OPC (here and in Australia); with the governments in Australia and in the countries where Veda International supports and runs credit bureau. Veda welcomes an opportunity to improve data protection and compliance frameworks in order to assist with this reporting. We see this as an on-going process.

Veda regards privacy and best practice governance as essential. Compliance is an on-going journey of continuous improvement. Regulatory compliance is important to Veda and to the Veda Group.

Regulatory compliance is an essential part of Veda's value proposition as a trusted custodian of data, a trusted business partner and an employer.

Veda made a number of improvements last year to address concerns raised by the Ministry (by email sent on 21 December 2012). Veda worked closely with the Ministry to ensure the improvements put in place by Veda were addressed to the Ministry's satisfaction, in a comprehensive and detailed manner in phased changes where were on-going and the subject of weekly reporting to the Ministry.

The work undertaken to date illustrates how we have addressed the Ministry's expressed concerns about specific matters. We understand that the steps we have taken and committed to do meet what the Ministry requires. As a result of these measures we are now fully compliant.

Some Veda customers became eligible for access under Gazette Notices issued after Veda's authorisation and then sought to access under such authorisations but through Veda.

**Formal report**

We comment on each condition of access as follows:

1. We confirm the names and addresses from the Motor Vehicle Register are accessed only by clients of Veda Advantage (NZ) Limited whose use of the information is regulated by contract with us. We require our clients to confirm they access and use those details on their own behalf (we do not allow "agency" usage).
  - a. We have addressed our compliance to meet the Ministry's requirements.
  - b. Primarily the Subscriber Agreement is in place and acts as a control on access and use.
  - c. Authorisations are managed at both a Client and User level
    - i. Each customer (who requires Section 241 access) must complete a Client Application Form detailing which Motor Vehicle Business Activity (MVBA) they are authorised to access and provide the evidence to support the application for access.
    - ii. The evidence supplied must meet the stated requirements (as per the MOT), noted on the Client Application form.
    - iii. Without this, the customer will automatically be defaulted to Standard Access and not receive the name and address details of the current registered owner (where this is an individual).
    - iv. For customers which have a special authorisation from the NZTA (i.e. that is not one of the listed MBVAs) they must provide us with this authorisation.
    - v. Customers are also to provide a list of their Users detailing which MVBA each User is authorised to access.
    - vi. When a User logs into our Client site they will always be able to select the Standard Level of access (no names and addresses of current registered persons (individuals)), when this information is not required or in instances where they are not authorised to obtain it.
      1. They are also able to use the 'Verification' service to confirm whether an individual is the current registered owner by entering their name, date of birth and driver licence information along with the Plate or VIN
      2. Where the inquiry being made is for an authorised purpose, they will only see the Business Activity (i.e. Debt Collector) and Purpose which they have been authorised to access by their employer.
2. The names and addresses are accessed only for the specified purposes set out in the Ministry's letter of 4 April 2011 ("specified purpose").
  - a. We are compliant.
  - b. These are not the only purposes which we understand we may rely upon. This has been discussed with the Ministry. After the purposes were granted (4 April 2011) some additional section 241 accesses were permitted to some of our customers (defined by reference to membership of an affected class) and detailed in respective Gazette Notices. These are all included and detailed below together with our compliance measures.

Affected Class	Motor Vehicle Business Activity	Purpose for access	Compliance Measures – Evidence required
Gazette Notices	Registered Motor Vehicle Trader	To facilitate safety recalls and service campaigns for MV's	Confirmation that the client is registered on the <a href="#">Motor Vehicle Traders Register</a> .  Clients provide their Registry Number and Veda verifies that they are registered prior to setting up Client Access.  We have been working with MBIE to obtain live access to the register so we can continue to check against the register however this is not yet in place. We await steps to be taken by MBIE to enable such access.
		To assist in verifying person(s) registered when the vehicle is being considered for purchase by the MV Trader from another person	
		To assist in verifying that change of registered persons has been completed correct	
		Any other purpose necessary to facilitate the sale or purchase of a motor vehicle, other than for marketing purposes.	
	Registered Financial Service Provider	To check or confirm details where the Registered Financial Services Provider has an existing interest in the relevant motor vehicle, either in the form of a Personal Properties Securities Register (PPSR) interest or similar security interest	Confirmation that the client is registered on the <a href="#">Financial Service Providers Register</a> .  Clients provide their Registry Number and Veda verifies that they are registered prior to setting up Client Access.  We have been working with MBIE to obtain live access to the register so we can continue to check against the register however this is not yet in place. We await steps to be taken by MBIE to enable such access.
		To assist in verifying the owner of a motor vehicle when assessing an application to provide finance in relation to that vehicle	
	Registered Financial Service Provider - Insurer	To obtain names and addresses of persons registered in respect of vehicles that have been involved in motor vehicle accidents with the Insurer's clients	Confirmation that the client is registered on the <a href="#">Financial Service Providers Register</a> .  Clients provide their Registry Number and Veda verifies that they are registered prior to setting up Client Access.  We have been working with MBIE to obtain live access to the register so we can continue to check against the register however this is not yet in place. We await steps to be taken by MBIE to enable such access.
		To obtain name and address details to assist in verifying that payment for claims are made to the owner of the vehicle	
		For any other purpose that is reasonably required for the purpose of assessing or processing an insurance policy or claim in relation to a motor vehicle	
	Service Station	To trace registered persons in respect of vehicles where the occupants fail to pay for goods or services from a	Confirmation that the client sells fuel and; evidence that they hold a site location certificate issued

		Service Station	under section 82 of the Hazardous Substances and New Organisms Act. Access is provided at Head Office Level. (A measure devised after discussion with your Ministry)
Standard s241	Security Interest in a Vehicle	To obtain personal information about registered persons where the client has a security interest in the relevant vehicle.	Veda requires confirmation that there is a registered security interest in a vehicle. In circumstances where a security interest is not registered Veda requires the following; - An explanation of why there is no registered security interest, - Evidence of the policy for requiring security interests and; - Evidence of the standard terms for the taking of security interests.
	Credit Provider	To verify information provided by their customer(s)	Confirmation that the client is a credit provider. A copy of the consent obtained from the customer before conducting a Motor Vehicle search. Assurance that customers consent is always obtained.
	Debt Collector	To assist in recovering debts where the client has a security interest in the relevant vehicle, or has been engaged as an agent (e.g. debt collector) by a person who has a security interest in the relevant vehicle	Confirmation that you hold a security interest in the vehicle or are acting on behalf of someone who holds a security interest.
	In Lawful Possession of a Vehicle	To obtain contact details to allow registered persons to be contacted where the client is in lawful possession of the vehicle, but the owner is unknown.	Mainly only applies to Towing Companies. Confirmation that you are a towing company & that you'll only be using this facility in cases where you've towed a vehicle and need to contact the owner.
S235	Authorised under Section 235 of the Act	For enforcement of the law Maintenance of the security of New Zealand Collection of charges imposed or authorised by an enactment Administration and development of transport law and policy.	New Zealand Government only – potentially some exceptions although these will be referred to the NZTA before we can provide access. Confirmation of which authority the client is relying on for access.

3. The fees charged for the provision of names and addresses from the Motor Vehicle Register are duly paid by us.
  - a. We are compliant.
  - b. Fees are paid monthly by our Finance Department located in Sydney, Australia.
  
4. Veda Advantage (NZ) Limited requires as a term of its contractual agreement with its customers that its customers only access personal information from the Motor Vehicle Register for a specified purpose or for a purpose set out in section 235 of the Land Transport Act 1998.
  - a. We are compliant.
  - b. As of the 24<sup>th</sup> of April 2013 customers are managed at Client and User level – this process is noted under point 1.c. above.
  - c. System Design – separate process for s241 and s237 (d) requests
    - i. Our section 241 and section 237(d) requests are both separate.
    - ii. As the Ministry stated to us previously, this “is appropriate – the two are available through separate sections of the Land Transport Act and it would not be appropriate to have a section 241 query return information that is not available under section 241. The way the NZTA does this is to require a section 241 query to be carried out first. Only if this does not return the relevant information can the other streamlined query be undertaken”.
    - iii. As noted below in point d, we also restrict the streamlined query (s237(d)) to a limited number of customers (for example, a large finance company where hundreds of users have access, then only the teams who require this information in order to deliver/conduct their job would have access to the streamlined process). This ensures a higher level of scrutiny over such transactions.
  - d. Section 237(d) access
    - i. Access was restricted in April 2013 after working very closely with our eligible customer, to further understand and identify which teams/functions require which level of access in order for the Users within those teams to be able to deliver their role/function within the organisation.
    - ii. Current owner name and address details (s237(d) (opted out)) is required by Users within the ‘Pre-Documentation & Verification staff for Personal Loans’ and ‘Settlement Loans’ teams when the information is not available from s241 for the following instance:
      1. New credit to customer looking to purchase vehicle.
      2. They will pay the current owner directly rather than to their customer obtaining the credit.
    - iii. S237(d) Historical owners name and address details are required by Users within the ‘Issuance & Custody teams within Collections’ in the following instance:
      1. When considering repossession of a vehicle secured on one of their accounts.
  - e. Changes were made to the Web Screens
    - i. Limiting the information a User will see based in their Access Levels.
  
5. There have not been any identified instances of unauthorised access in this reporting period and therefore Veda Advantage (NZ) Limited has not needed to make a notification to the Secretary for Transport or the Privacy Commissioner.
  
6. Veda has processes in place so that before its staff are permitted to access the Motor Vehicle Register under section 241, such staff receive training that emphasises any such access must only be for a specified purpose. Failure to comply with and meet expectations regarding training may become a disciplinary matter which could, lead to termination of employment. Refresher training of such staff has been and will continue to be also undertaken at appropriate intervals.
  - a. In addition:
    - i. We have detailed policies including a Group Data Security Policy in place for all Veda Employees.
    - ii. As of the 23<sup>rd</sup> of April 2013, Section 241 access was restricted to only the following staff in order to perform their role (as noted below)

1. Call Centre Subscriber team - to conduct Operator Assisted Inquiries/Queries
    - This happens where the client is unable to process the report or there is incorrect information, once it is corrected the team run the report and provide the amended file to the client rather than getting the client to re-run and being charged a second time.
  2. IT Department –
    - When building, enhancing and/or testing any of the Motor Vehicle products we only connect to the NZTA test database.
    - Access the production site only for error detection purposes
  3. Motor Vehicle Product Owner – for error detection/investigation
  - iii. All other staff will automatically default to the Standard Level of access (not returning any information on individuals)
7. Veda Advantage (NZ) Limited has processes in place so that access by its staff is restricted to those members of staff for whom authorised access is required in order to provide Veda's services.
- a. As mentioned above; as from the 24th of April 2013, only Users that sit within these departments are granted Section 241 access.
  - b. All other staff will automatically default to the Standard Level of access.
8. The names and addresses obtained by Veda subscribers should not be disclosed to any third party unless this disclosure is necessarily incidental to achieving a specified purpose. Veda controls this obligation by requiring in its subscriber agreement that its subscribers use information only for their own internal business purposes (Veda refers to clause 2.5 of its subscriber agreement below).

2.5 *You must use the reports and information we supply you only for your internal business use. But you may disclose information we supply you in accordance with your statutory obligations, including to the individual the information is about. You must not*

- a. *give our reports or information to anyone else.*
- b. *reproduce or copy the reports or information we supply you, except to the extent this is an integral part of our information service. If you use our information service electronically, you may retain a printout of any report we supply you.*

*Note: For example, if we deliver reports electronically, saving them onto your system, or printing them for your file, is an integral part of the information service; or if we deliver information to you by a stream of data (instead of by report) the information will be copied into your system and reprocessed as part of your credit approval process. If you have any questions about whether you can reproduce or copy reports or information, please contact us.*

*We have copyright in the compilation of the information we use to supply information services to you, and in the reports we supply to you when you use our information services.*

*Note: For example, this means that you cannot re-sell, re-package or otherwise re-use our information other than as permitted under this agreement.*

9. Additional Controls:
- a. Training/Process documentation
    - i. As part of the enhancement process in 2013, training was provided to a number of customers and Veda staff and also continues to be provided.
    - ii. Documentation available and provided:
      1. Product Snapshots



- 2. Access 'How to Guide' and FAQ's
- 3. User Manuals (for each of the levels of access).

Should any questions arise in respect of this report, please contact the writer.

Veda is proactively committed to improving our compliance framework on an on-going basis.

Yours faithfully  
Veda Advantage (NZ) Limited

  
[Redacted] NZ Legal Counsel



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29 April 2015

Nicole Rule.

By email to: [info@nzta.govt.nz](mailto:info@nzta.govt.nz)

Dear Nicole,

**Authorisation Under Section 241 Land Transport Act 1998 - Annual Report**

We have formerly sent these reports to the Ministry of Transport (MOT) but were told last year to send these to you at NZTA in the future.

Lisa Nickson, Acting Chief Legal Adviser, MOT recommended that we do this- see appended email at the end of the report.

**If there has been a change and this should now go to another person please forward this to that person and reply to our email and tell us who that person is.**

We have noticed that our authorisation expires next year (30/4/2016). It seems that there is no process for renewal as such but that a series of authorisations is possible. Please confirm whether we should send to you our application to have a further authorisation, to begin when the previous authorisation expires?

This letter, sent by email, comprises Veda Advantage (NZ) Limited's annual report on its compliance with the conditions set out in the Ministry of Transport's letter of 4 April 2011 on our authorisation to access names and addresses held on the Motor Vehicle Register.

It has been sent in two versions- (both attached to our email)-this full version and the redacted version which redacts the commercially sensitive portion of the report.

**Veda**

Veda, as a credit reporter, is also a custodian of personal information. The Office of the Privacy Commissioner (the OPC) directly regulates credit reporting and Veda is fortunate to have regular interaction with the OPC (here and in Australia); with the governments in Australia and in the countries where Veda International supports and runs credit bureau.

Veda welcomes an opportunity to improve data protection and compliance frameworks in order to assist with this reporting. We see this as an on-going process.

Veda regards privacy and best practice governance as essential. Compliance is an on-going journey of continuous improvement. Regulatory compliance is important to Veda and to our parent company, the Veda Group.

Regulatory compliance is an essential part of Veda's value proposition as a trusted custodian of data, a trusted business partner and an employer.

### The past

Veda made a number of improvements in 2013 to address concerns raised by the Ministry (by email sent on 21 December 2012). Veda worked closely with the Ministry to ensure the improvements put in place by Veda were addressed to the Ministry's satisfaction, in a comprehensive and detailed manner in phased changes where were on-going and the subject of weekly reporting to the Ministry.

The work undertaken to date illustrates how we have addressed the Ministry's expressed concerns about specific matters. We understand that the steps we have taken and committed to do meet what the Ministry requires. As a result of these measures we are now fully compliant

Some Veda customers became eligible for access under Gazette Notices issued after Veda's authorisation and then sought to access under such authorisations but through Veda.

### Formal report (required by the letter dated 4 April 2011)

We comment on each condition of access as follows:

1. We confirm the names and addresses from the Motor Vehicle Register are accessed only by clients of Veda Advantage (NZ) Limited whose use of the information is regulated by contract with us. We require our clients to confirm they access and use those details on their own behalf (we do not allow "agency" usage).
  - a. We have addressed our compliance to meet the Ministry's requirements.
  - b. Primarily the Subscriber Agreement is in place and acts as a control on access and use.
  - c. Authorisations are managed at both a Client and User level
    - i. Each customer (who requires Section 241 access) must complete a Client Application Form detailing which Motor Vehicle Business Activity (MVBA) they are authorised to access and provide the evidence to support the application for access.
    - ii. The evidence supplied must meet the stated requirements (as per the MOT), noted on the Client Application form.
    - iii. Without this, the customer will automatically be defaulted to Standard Access and not receive the name and address details of the current registered owner (where this is an individual).
    - iv. For customers which have a special authorisation from the NZTA (i.e. that is not one of the listed MBVAs) they must provide us with this authorisation.
    - v. Customers are also to provide a list of their Users detailing which MVBA each User is authorised to access.
    - vi. When a User logs into our Client site, they will always be able to select the Standard Level of access (no names and addresses of current registered persons (individuals)), when this information is not required or in instances where they are not authorised to obtain it.

1. They are also able to use the 'Verification' service to confirm whether an individual is the current registered owner by entering their name, date of birth and driver licence information along with the Plate or VIN.
  2. Where the inquiry being made is for an authorised purpose, they will only see the Business Activity (i.e. Debt Collector) and Purpose which they have been authorised to access by their employer.
2. The names and addresses are accessed only for the specified purposes set out in the Ministry's letter of 4 April 2011 ("specified purpose").
- a. We are compliant.
  - b. These are not the only purposes which we understand we may rely upon. This has been discussed with the Ministry. After the purposes were granted (4 April 2011) some additional section 241 accesses were permitted to some of our customers (defined by reference to membership of an affected class) and detailed in respective Gazette Notices. These are all included and detailed below together with our compliance measures.

Report continues on next page

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Affected Class	Motor Vehicle Business Activity	Purpose for access	Compliance Measures – Evidence required
Gazette Notices	Registered Motor Vehicle Trader	To facilitate safety recalls and service campaigns for MV's	Confirmation that the client is registered on the <u>Motor Vehicle Traders Register</u> .
		To assist in verifying person(s) registered when the vehicle is being considered for purchase by the MV Trader from another person	Clients provide their Registry Number and Veda verifies that they are registered prior to setting up Client Access.
		To assist in verifying that change of registered persons has been completed correctly	
		Any other purpose necessary to facilitate the sale or purchase of a motor vehicle, other than for marketing purposes.	We are investigating what improvements could be made to confirm ongoing MBIE registrations.
	Registered Financial Service Provider	To check or confirm details where the Registered Financial Services Provider has an existing interest in the relevant motor vehicle, either in the form of a Personal Properties Securities Register (PPSR) interest or similar security interest	Confirmation that the client is registered on the <u>Financial Service Providers Register</u> .
		To assist in verifying the owner of a motor vehicle when assessing an application to provide finance in relation to that vehicle	Clients provide their Registry Number and Veda verifies that they are registered prior to setting up Client Access.  We are investigating what improvements could be made to confirm ongoing MBIE registrations.
	Registered Financial Service Provider - Insurer	To obtain names and addresses of persons registered in respect of vehicles that have been involved in motor vehicle accidents with the Insurer's clients	
		To obtain name and address details to assist in verifying that payment for claims are made to the owner of the vehicle	
		For any other purpose that is reasonably required for the purpose of assessing or processing an insurance policy or claim in relation to a motor vehicle	
	Service Station	To trace registered persons in respect of vehicles where the occupants fail to pay for goods or services from a Service Station	Confirmation that the client sells fuel and; evidence that they hold a site location certificate issued under section 82 of the Hazardous Substances and New Organisms Act



			Access is provided at Head Office Level. (A measure devised after discussion with the Ministry)
Standard s241	<b>Security Interest in a Vehicle</b>	To obtain personal information about registered persons where the client has a security interest in the relevant vehicle.	Veda requires confirmation that there is a registered security interest in a vehicle. In circumstances where a security interest is not registered Veda requires the following; - An explanation of why there is no registered security interest, - Evidence of the policy for requiring security interests and; - Evidence of the standard terms for the taking of security interests.
	<b>Credit Provider</b>	To verify information provided by their customer(s).	Confirmation that the client is a credit provider. A copy of the consent obtained from the customer before conducting a Motor Vehicle search. Assurance that customers consent is always obtained.
	<b>Debt Collector</b>	To assist in recovering debts where the client has security interest in the relevant vehicle, or has been engaged as an agent (e.g. debt collector) by a person who has a security interest in the relevant vehicle.	Confirmation that you hold a security interest in the vehicle or are acting on behalf of someone who holds security interest.
	<b>In Lawful Possession of a Vehicle</b>	To obtain contact details to allow registered persons to be contacted where the client is in lawful possession of the vehicle, but the owner is unknown.	Mainly only applies to Towing Companies. Confirmation that you are a towing company & that you'll only be using this facility in cases where you've towed a vehicle and need to contact the owner.
S235	<b>Authorised under Section 235 of the Act</b>	For enforcement of the law	New Zealand Government only – potentially some exceptions although these will be referred to the NZTA before we can provide access. Confirmation of which authority the client is relying on for access
		Maintenance of the security of New Zealand	
		Collection of charges imposed or authorised by an enactment	
		Administration and development of transport law and policy.	

3. The fees charged for the provision of names and addresses from the Motor Vehicle Register are duly paid by us.
  - a. We are compliant.
  - b. Fees are paid monthly by our Finance Department located in Sydney, Australia.
4. Veda Advantage (NZ) Limited requires as a term of its contractual agreement with its customers that its customers only access personal information from the Motor Vehicle Register for a specified purpose or for a purpose set out in section 235 of the Land Transport Act 1998.
  - a. We are compliant.
  - b. As of the 24<sup>th</sup> of April 2013 customers were managed at Client and User level – this process is noted under point 1.c. above.
  - c. System Design – separate process for s241 and s237 (d) requests
    - i. Our section 241 and section 237(d) requests are both separate
    - ii. As the Ministry stated to us previously, this “is appropriate – the two are available through separate sections of the Land Transport Act and it would not be appropriate to have a section 241 query return information that is not available under section 241. The way the NZTA does this is to require a section 241 query to be carried out first. Only if this does not return the relevant information can the other streamlined query be undertaken”.
    - iii. As noted below in point d, we also restrict the streamlined query (s237(d)) to a limited number of customers (for example, a large finance company where hundreds of users have access, then only the teams who require this information in order to deliver/conduct their job would have access to the streamlined process). This ensures a higher level of scrutiny over such transactions.
  - d. Section 237(d) access
    - i. Access was restricted in April 2013 after working very closely with our eligible customer, to further understand and identify which teams/functions require which level of access in order for the Users within those teams to be able to deliver their role/function within the organisation.
    - ii. Current owner name and address details (s237(d) (opted out)) is required by Users within the ‘Pre-Documentation & Verification staff for Personal Loans’ and ‘Settlement Loans’ teams when the information is not available from s241 for the following instance:
      1. New credit to customer looking to purchase vehicle.
      2. They will pay the current owner directly rather than to their customer obtaining the credit.
    - iii. S237(d) Historical owners name and address details are required by Users within the ‘Issuance & Custody teams within Collections’ in the following instance:
      1. When considering repossession of a vehicle secured on one of their accounts.
  - e. Changes were made to the Web Screens
    - i. Limiting the information a User will see based in their Access Levels.
5. There have not been any identified instances of unauthorised access in this reporting period and therefore Veda Advantage (NZ) Limited has not needed to make a notification to the Secretary for Transport or the Privacy Commissioner.
6. Veda has processes in place so that before its staff are permitted to access the Motor Vehicle Register under section 241, such staff receive training that emphasises any such access must only be for a specified purpose. Failure to comply with and meet expectations regarding training may become a disciplinary matter which could, lead to termination of employment. Refresher training of such staff has been and will continue to be also undertaken at appropriate intervals.
  - a. In addition:
    - i. We have detailed policies including a Group Data Security Policy in place for all Veda Employees.
    - ii. As of the 23<sup>rd</sup> of April 2013, Section 241 access was restricted to only the following staff in order to perform their role (as noted below)

1. Call Centre Subscriber team - to conduct Operator Assisted Inquiries/Queries
    - This happens where the client is unable to process the report or there is incorrect information, once it is corrected the team run the report and provide the amended file to the client rather than getting the client to re-run and being charged a second time.
  2. IT Department –
    - When building, enhancing and/or testing any of the Motor Vehicle products we only connect to the NZTA test database.
    - Access the production site only for error detection purposes
  3. Motor Vehicle Product Owner – for error detection/investigation
  - iii. All other staff will automatically default to the Standard Level of access (not returning any information on individuals)
7. Veda Advantage (NZ) Limited has processes in place so that access by its staff is restricted to those members of staff for whom authorised access is required in order to provide Veda's services
- a. As mentioned above; as from the 24th of April 2013, only Users that sit within these departments were granted Section 241 access.
  - b. All other staff will automatically default to the Standard Level of access.
8. The names and addresses obtained by Veda subscribers should not be disclosed to any third party unless this disclosure is necessarily incidental to achieving a specified purpose. Veda controls this obligation by requiring in its subscriber agreement that its subscribers use information only for their own internal business purposes (Veda refers to clause 2.5 of its subscriber agreement below).
- 2.5 *You must use the reports and information we supply you only for your internal business use. But you may disclose information we supply you in accordance with your statutory obligations, including to the individual the information is about. You must not:*
- a. *give our reports or information to anyone else,*
  - b. *reproduce or copy the reports or information we supply you, except to the extent this is an integral part of our information service. If you use our information service electronically, you may retain a printout of any report we supply you.*
- Note: For example, if we deliver reports electronically, saving them onto your system, or printing them for your file, is an integral part of the information service; or if we deliver information to you by a stream of data (instead of by report), the information will be copied into your system and reprocessed as part of your credit approval process. If you have any questions about whether you can reproduce or copy reports or information, please contact us.*
- We have copyright in the compilation of the information we use to supply information services to you, and in the reports we supply to you when you use our information services.*
- Note: For example, this means that you cannot re-sell, re-package or otherwise re-use our information other than as permitted under this agreement.*
9. Additional Controls:
- a. Training/Process documentation
    - i. As part of the enhancement process in 2013, training was provided to a number of customers and Veda staff. This is continually provided to new starters and product collateral and support is provided to our customers via our call centre and sales team.
    - ii. Documentation available and provided:

1. Product Snapshots
2. Access 'How to Guide' and FAQ's
3. User Manuals (for each of the levels of access).

Should any questions arise in respect of this report, please contact the writer.

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Yours faithfully  
Veda Advantage (NZ) Limited



Legal Counsel

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