



NAIT Information System Access Panel

Annual Report 2023



NAIT



OSPRI

NAIT Information System Access Panel

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This Annual Report of the NAIT Information System Access Panel (Panel) is provided in accordance with regulation 8 of the National Animal and Tracing (Information System Access Panel) Regulations 2012 (Regulations). It reports on the year ended 30 June 2023.

OSPRI's National Animal Identification and Tracing (NAIT) programme operates under the National Animal Identification and Tracing Act 2012 (Act). It is an industry and Government initiative that links people, property and relevant classes of livestock in New Zealand.

Cattle and deer are traced using NAIT-approved RFID ear tags. Once tagged, each animal is registered in a national database. The details recorded include:

- the animal's location
- movement in the animal's life
- contact details for the person in charge of that animal (a PICA).

NAIT data is captured for a wide range of reasons to benefit industry, Government and New Zealand including:

- lifetime traceability of animals
- improved biosecurity management
- food safety
- market access
- human health
- natural disaster response
- policy development
- animal productivity.

The Act provides a comprehensive regime for the management of the data collected by NAIT to ensure that NAIT data is available for these purposes, whilst protecting the privacy of the individuals and organisations that contribute to this dataset¹.

INFORMATION SYSTEM ACCESS PANEL

The Panel was established by regulation 4(1) of the Regulations and has the functions, duties and powers set out in regulation 7 of the Regulations.

The members of the Panel are appointed by NAIT Limited pursuant to regulation 4 of the Regulations.

During the year to 30 June 2023, the members of the Panel were:

- Barry Brown (Chairman from 16 September 2015; reappointed 21 July 2018 and 21 July 2021)
- Fenton Wilson (Panel member from 29 June 2018, reappointed 29 June 2021)
- James Parsons (Panel member from 1 March 2020; reappointed 1 March 2023)
- Nikki Davies-Colley (appointed 1 January 2021).

PANEL MEMBERS



Barry Brown



Fenton Wilson



Nikki Davies-Colley



James Parsons

INFORMATION SYSTEM ADMINISTRATOR

The NAIT Information System Administrator is required to be appointed by NAIT Limited pursuant to section 39(2) of the Act. The role of the System Administrator is to manage access to the NAIT information system.

During the year to 30 June 2023, the System Administrator role was held by:

- Kevin Forward (from 17 February 2023)
- Amy Corkery (from 1 July 2022 to 17 February 2023)

Applications by third parties to be provided with data captured by NAIT are referred to the Panel or the System Administrator who are empowered by the Act to authorise disclosure of such data if certain statutory pre-requisites are met.

¹ See Part 4 of the National Animal Identification and Tracing Act 2012.

PANEL MEETINGS AND REPORTS 1 JULY 2022 – 30 JUNE 2023

During the year, the Panel held one meeting and received quarterly reports from the System Administrator on applications received and decided. In addition, a wide range of Panel work was regularly undertaken outside of formal meetings during the year.

The Panel maintains a register of member interests and a conflict of interests' policy. It regulates its own procedures.

APPLICATIONS RECEIVED AND/OR DECIDED 1 JULY 2022 – 30 JUNE 2023

In the year that ended 30 June 2023, 39 applications were received for access to NAIT data and determinations were made in respect of all of them. One application from the previous year, which was split into two separate applications, was determined.

There are no applications made this year that are yet to be determined.

Of the 41 applications determined in this year:

- three applications were determined by the Panel – one of these had been approved by the System Administrator on a temporary basis
- two applications were determined by the Panel Chair alone due to the other Panel members each having a conflict of interest because they are also Directors of OSPRI New Zealand Limited and its subsidiaries
- three applications were responded to by the OSPRI Support Centre in accordance with the approval granted under application 422²
- 33 applications were determined by the System Administrator
- 16 applications were made (under sections 46(14) and 46(16) of the Act) by accredited information providers and/or accredited entities dealing with NAIT animals for consent to link into and access the NAIT information system for the purposes of inputting and editing core data relating to a particular PICA or particular PICAs (in the case of information providers).

Table 1 sets out the details of the applications determined within this reporting year (1 July 2022 – 30 June 2023). Table 2 reports the conditions of access imposed on applications determined this year.

DETERMINATIONS REVOKED

Two previous determinations – 274 and 315 – were revoked during the year. In respect of the first, access has been transferred to an authorisation under section 48A of the Act. The determination on application 390B (reported in this year), covers the access granted under application 315.

ONGOING REVIEW OF DETERMINATIONS WITH OPEN CONDITIONS

The System Administrator updates the Panel on previous determinations that have open conditions. At 30 June 2023, there are 12 determinations with open conditions being monitored, all of which have either been reported on in accordance with their due dates or are not yet due for review.

NO COMPLAINTS

There were no complaints received by the Panel during the reporting period.

NO BREACHES OF CONDITIONS

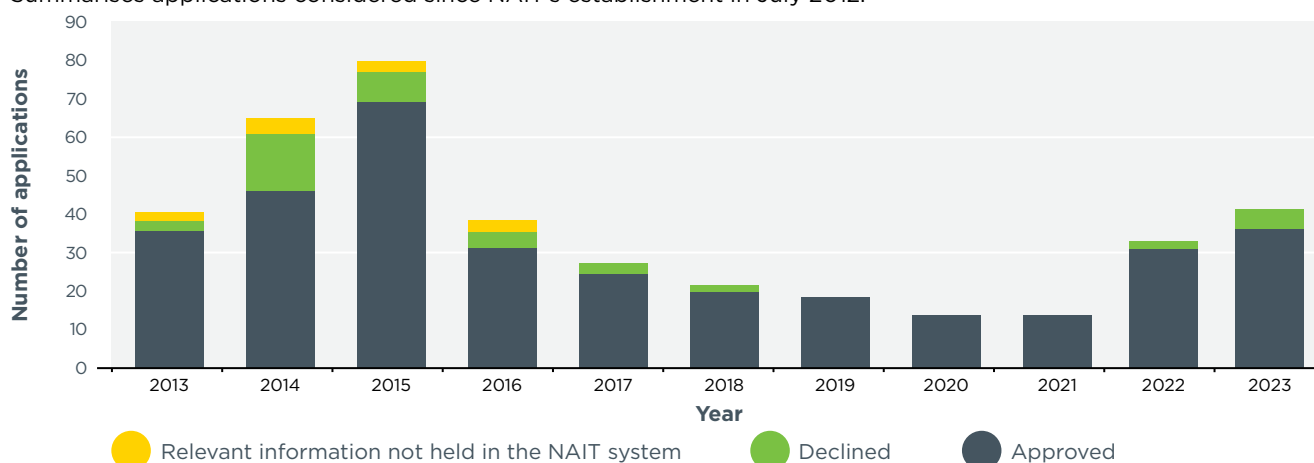
There were no reports of breaches of conditions of approved applications received during the reporting period.

SUMMARY OF APPLICATION DECISIONS SINCE 2012

The number of applications for access to NAIT has varied over the past eleven years (see Figure 1). Approximately 87% of applications have been granted during this time.

Figure 1:

Summarises applications considered since NAIT's establishment in July 2012.



² Under application 422 the OSPRI Support Centre is approved to respond to requests, in relation to dead or wandering livestock, received from the New Zealand Police or animal welfare officers within local or regional councils. The System Administrator gave approval for the 2022-23 holiday period and the Panel granted ongoing approval.

Table 1

Application number	Nature and purpose of application	Section 40 purpose (for determinations under section 46(10))	General nature of information	Decision by (SA = System Administrator)	Approved	Declined	Conditions	Comments
Crown Ministries or Departments including the Ministry for Primary Industries								
427	To respond to natural disasters or requests from emergency services when rapid access to data on animals and people is needed to manage risks to the lives and welfare of animals and people	Section 40(f)	Information required for responding to Cyclone Gabrielle	SA	1		Yes	
430	To respond to natural disasters or requests from emergency services when rapid access to data on animals and people is needed to manage risks to the lives and welfare of animals and people	Section 40(f)	Information required for responding to Cyclone Gabrielle	SA	1		Yes	
Local government								
416	To respond to wandering NAIT animals (cattle)	Section 40(j)	Information relating to the person in charge of wandering stock	SA	1		No	
426	To respond to wandering NAIT animals (cattle)	Section 40(j)	Information relating to the person in charge of wandering stock	SA	1		No	
Police								
400	To respond to inquiries about theft of NAIT animals (cattle)	Section 40(j)	Information required to investigate stock theft	SA	1		No	
402	To respond to inquiries about theft of NAIT animals (cattle)	Section 40(j)	Information required to investigate stock theft	SA	1		No	

Table 1 continued

Application number	Nature and purpose of application	Section 40 purpose (for determinations under section 46(10))	General nature of information	Decision by (SA = System Administrator)	Approved	Declined	Conditions	Comments
403	To obtain information to assist with a criminal investigation		Information about the size of a cattle herd	SA		1	n/a	Not related to a section 40 purpose
404	To respond to inquiries about theft of NAIT animals (cattle)	Section 40(j)	Information required to investigate stock theft	SA	1		No	
405	To respond to a NAIT animal found dead in a public place (cattle)	Section 40(j)	Information relating to the person in charge of an animal found dead in a public place	SA	1		No	
408	To respond to wandering NAIT animals (cattle)	Section 40(j)	Information relating to the person in charge of wandering stock	SA	1		No	
409	To respond to inquiries about theft of NAIT animals (cattle)	Section 40(j)	Information required to investigate stock theft	SA	1		No	
413	To respond to wandering NAIT animals (cattle)	Section 40(j)	Information relating to the person in charge of wandering stock	SA	1		No	
422.1	To respond to wandering NAIT animals or NAIT animals found dead in public places	Section 40(j)	Information relating to the person in charge of wandering or dead animals	Support Centre (delegation under decision 422)	1		No	
422.2	To respond to wandering NAIT animals or NAIT animals found dead in public places	Section 40(j)	Information relating to the person in charge of wandering or dead animals	Support Centre (delegation under decision 422)	1		No	
422.3	To respond to wandering NAIT animals or NAIT animals found dead in public places	Section 40(j)	Information relating to the person in charge of wandering or dead animals	Support Centre (delegation under decision 422)	1		No	

Table 1 continued

Application number	Nature and purpose of application	Section 40 purpose (for determinations under section 46(10))	General nature of information	Decision by (SA = System Administrator)	Approved	Declined	Conditions	Comments
424	To respond to inquiries about theft of NAIT animals (cattle)	Section 40(j)	Information required to investigate stock theft	SA	1		No	
428	To obtain information to assist with a criminal investigation		Request for information on persons in charge of animals	SA		1	n/a	Not related to a section 40 purpose
432	To respond to inquiries about theft of NAIT animals (cattle)	Section 40(j)	Information required to investigate stock theft	SA	1		No	
Sector								
390A	To assist other persons with duties under the NAIT Act to carry out their duties	Section 40(b)	All NAIT data required to deliver certain contracted services to the NAIT organisation	Panel Chair	1		Yes	
390B	To facilitate the purposes of the Biosecurity Act 1993	Section 40(c)	All NAIT data required to perform the applicant's functions, powers and duties under the Biosecurity Act 1993	Panel Chair	1		Yes	
422	To assist others with duties to respond to wandering NAIT animals or NAIT animals found dead in public places	Section 40(j)	Information relating to the person in charge of dead or wandering stock	System Administrator gave temporary approval during Christmas 2022-23 period Panel approved ongoing response	1		Yes	Information can only be provided to NZ Police, or local or regional council animal control officers Standard template to be used

Table 1 continued

Application number	Nature and purpose of application	Section 40 purpose (for determinations under section 46(10))	General nature of information	Decision by (SA = System Administrator)	Approved	Declined	Conditions	Comments
Applications for access by accredited NAIT information providers and accredited entities dealing with NAIT animals								
401	To link into and access the system to input and edit core data relating to PICA/s		Access granted to enable inputting and editing of core data relating to a particular PICA or particular PICAs	SA	1		Yes	
410	To link into and access the system to input and edit core data relating to PICA/s		Access granted to enable inputting and editing of core data relating to a particular PICA or particular PICAs	SA	1		Yes	
411	To link into and access the system to input and edit core data		Access granted to enable inputting and editing of core data	SA	1		Yes	
414	To link into and access the system to input and edit core data		Access granted to enable inputting and editing of core data	SA	1		Yes	
415	To link into and access the system to input and edit core data		Access granted to enable inputting and editing of core data	SA	1		Yes	
417	To link into and access the system to input and edit core data relating to PICA/s		Access granted to enable inputting and editing of core data relating to a particular PICA or particular PICAs	Panel	1		Yes	
418	To link into and access the system to input and edit core data relating to PICA/s		Access granted to enable inputting and editing of core data relating to a particular PICA or particular PICAs	SA	1		Yes	
419	To link into and access the system to input and edit core data relating to PICA/s		Access granted to enable inputting and editing of core data relating to a particular PICA or particular PICAs	SA	1		Yes	

Table 1 continued

Application number	Nature and purpose of application	Section 40 purpose (for determinations under section 46(10))	General nature of information	Decision by (SA = System Administrator)	Approved	Declined	Conditions	Comments
420	To link into and access the system to input and edit core data		Access granted to enable inputting and editing of core data	SA	1		Yes	
421	To link into and access the system to input and edit core data		Access granted to enable inputting and editing of core data	SA	1		Yes	
423	To link into and access the system to input and edit core data relating to PICA/s		Access granted to enable inputting and editing of core data relating to a particular PICA or particular PICAs	SA	1		Yes	
425	To link into and access the system to input and edit core data relating to PICA/s		Access granted to enable inputting and editing of core data relating to a particular PICA or particular PICAs	SA	1		Yes	
429	To link into and access the system to input and edit core data		Access granted to enable inputting and editing of core data	SA	1		Yes	
433	To link into and access the system to input and edit core data relating to PICA/s		Access granted to enable inputting and editing of core data relating to a particular PICA or particular PICAs	SA	1		Yes	
434	To link into and access the system to input and edit core data		Access granted to enable inputting and editing of core data	SA	1		Yes	
435	To link into and access the system to input and edit core data relating to PICA/s		Access granted to enable inputting and editing of core data relating to a particular PICA or particular PICAs	SA	1		Yes	

Table 1 continued

Application number	Nature and purpose of application	Section 40 purpose (for determinations under section 46(10))	General nature of information	Decision by (SA = System Administrator)	Approved	Declined	Conditions	Comments
Other								
406	To facilitate the purposes of sections 142H(2) (risk profiling) and 42 (surveillance and prevention) of the Biosecurity Act 1993	Section 40(c)	Anonymised NAIT core data to train an AI disease incursion recognition tool	Panel	1		Yes	
407	To provide data supporting productivity, market assurance, and trading requirements	Section 40(e)	Information on stock movements (cattle)	SA		1	n/a	Section 40(e) purpose not met; applicant was not the PICA on the account
412	To provide NAIT records for liquidation		Information on livestock assets of a company in liquidation	SA		1	n/a	PICA is not the company in liquidation
431	To provide NAIT records for liquidation		Information on stock movements	SA		1	n/a	Not a section 40 purpose
Total					36	5		

Table 2

The applicants of all relevant approved applications are advised that the information provided to them must only be used for the purpose in section 40 under which the application is granted.

Application number	Conditions of access
390A	<ol style="list-style-type: none"> 1. The Applicant's employees and contractors are permitted access to the data (subject to confidentiality provisions) only for the purposes set out in the determination. 2. The Applicant will comply with the data sharing schedule to the services agreement between itself and NAIT Limited.
390B	<ol style="list-style-type: none"> 1. The Applicant and the Applicant's parent company's employees and contractors are permitted access to data (subject to confidentiality provisions) only for the NAIT Act purposes set out in the determination. 2. The Applicant and its parent company will comply with the data sharing schedule to their services agreement.
406	<ol style="list-style-type: none"> 1. The NAIT information must be accessed and used consistently with the purposes for which access under section 46 was granted. 2. The Applicant is under a duty of confidentiality with regard to the NAIT data. 3. The NAIT information obtained from the NAIT system must not be disclosed to any third party beyond the Applicant and one other organisation named in the application and determination. 4. On or about 1 September 2024, the NAIT System Administrator will review this access with the Applicant to determine if they still require access to the data. 5. The data obtained from the NAIT information system must be stored safely and securely and held and used in accordance with New Zealand laws, including but not limited to the Privacy Act 2020. 6. NAIT data obtained from the NAIT information system, and any copies or subsets, may be held until the research stage has concluded. After this time, the data must be destroyed, and proof of this destruction must be provided to the NAIT System Administrator following the completion of the pilot project. 7. The NAIT System Administrator or the NAIT Information System Access Panel may at any time in writing require the Applicant to provide to NAIT written confirmation and/or such other evidence as may be reasonable that these Conditions are being complied with on an ongoing basis. 8. The Applicant acknowledges that data provided by NAIT from its information system is data provided to that system by third parties. Accordingly, NAIT disclaims all responsibility for, and accepts no liability in relation to, the accuracy, or completeness of that data or its fitness for any particular purpose. 9. Failure to comply with one or more of these Conditions is an infringement offence under the NAIT Act 2012. If the Applicant fails to comply with its obligations in relation to the NAIT Data (including complying with these Conditions) then the NAIT System Administrator or the NAIT Information System Access Panel may, at its discretion, by notice in writing to the Applicant, require the immediate cessation of the provision and use of NAIT Data pursuant to this Determination and/or require the Applicant to take such other steps considered necessary to ensure compliance with these Conditions.

Table 2 continued

Application number	Conditions of access
417	<ol style="list-style-type: none"> Data sharing agreement – The Applicant must comply with the NAIT information system data sharing agreement as contemplated by (as applicable) clause 4 of the Accreditation Standard for entities dealing with NAIT animals and/or clause 4 of the Accreditation Standard for Information Providers. Purpose – The NAIT information must be accessed and used consistently with the purposes for which access under section 46 was granted. Authorisation to link into and access – The Applicant must only link into and access to the NAIT information system in respect of a particular PICA or PICAs who have authorised the Applicant to act as their agent for the purposes of the NAIT Act 2012. Core data personal – The Applicant is not authorised to access names, contact details, dates of birth, or email addresses for PICAs that have not authorised them to do so. Duration – This grant of access continues on an ongoing basis. In the event that the Applicant's accreditation is suspended or revoked in whole or in part, this grant of access will automatically lapse. The grant of access automatically resumes when the Applicant becomes fully accredited again. Where this occurs, the System Administrator may review the Applicant's data access and impose further conditions if deemed necessary. Revocation – The NAIT Information System Administrator and/or the NAIT Information System Access Panel reserve the right at any time to amend, suspend, or revoke this grant of data access and any of its conditions, temporarily or permanently (on a period of notice to the Applicant that is reasonable in all of the circumstances); or to request the Applicant to re-submit an application for a grant of access. This is especially where NAIT has reasonable grounds to believe that continued access will, or is likely to, compromise the operation of the NAIT information system. Review – A review of this data access will take place annually by the System Administrator on or about 31 March (commencing 2024). Report – NAIT and the Applicant to report (preferably jointly but separately is acceptable) to the Panel on the progress of NAIT/the Applicant's software integration and accuracy, 12 months after the go-live of NAIT functionality in MyOSPRI. The Panel expects this report to reflect progress on integration according to whether NAIT is meeting the NAIT Act and any applicable standard(s) under the new MyOSPRI functionality, especially according to the following indicators: <ul style="list-style-type: none"> All updates to be processed through to NAIT accurately from the Applicant's software If the Applicant's software provides a NAIT functionality, it must provide all versions of it in accordance with NAIT legal requirements (for example, animal status) No (or strictly by exception) manual data fixes or processes to be required by NAIT (while not shifting the burden of these onto the Applicant) Farmers being clear on their NAIT obligations when using the third-party software. This includes linking to NAIT-provided educational content where appropriate and making NAIT obligations clear Where the Applicant's software functionality will not process to NAIT due to an error, in every case return to the user that there was an error and the reasons why. Where the user performs an action in the Applicant's software that affects NAIT records, this is either transmitted to NAIT with all the relevant information; or the user is made aware that the functionality does not process through to NAIT.
422	The NAIT information must only be used for a 40(j) purpose.
427	<ol style="list-style-type: none"> The data must be submitted via secure means. The data must not be supplied to a third party who is not an applicant to this request. The data is to be used only for the purpose for which it was requested. The data is to be securely destroyed once it is no longer required.

Table 2 continued

Application number	Conditions of access
430	<ol style="list-style-type: none"> 1. The data must be supplied to the Applicant via secure means. 2. The data must not be supplied to a third party who is not: <ol style="list-style-type: none"> a. an applicant to this request, or b. an agent of the Applicant for the purpose specified in the application, or c. a member of the National Emergency Management Agency involved in the purpose specified in the application, or d. a member of a Civil Defence Emergency Management Group involved in the purpose specified in the application. 3. The data is to be used only for the purpose for which it was requested. 4. The data is to be securely destroyed once it is no longer required.
401, 410, 411, 414, 415, 418, 419, 420, 421, 423, 425, 429, 433, 434, 435	<p>a) Method of access</p> <p>The Applicant is permitted to link into and access the NAIT information system via the following method(s).</p> <ul style="list-style-type: none"> • The NAIT web application • The NAIT information system's Common Systems Interface (CSI) <p><i>(Applicants are approved for one or both methods of access).</i></p> <p>b) Other Conditions on Access</p> <ul style="list-style-type: none"> • Data sharing agreement – The Applicant must comply with the NAIT information system data sharing agreement as contemplated by (as applicable) clause 4 of the Accreditation Standard for entities dealing with NAIT animals and/or clause 4 of the Accreditation Standard for Information Providers. • Purpose – The NAIT information must be accessed and used consistently with the purposes for which access under section 46 was granted. • Authorisation to link into and access – The Applicant must only link into and access to the NAIT information system in respect of a particular PICA or particular PICAs who have authorised the Applicant to act as their agent for the purposes of the NAIT Act 2012. • Core data personal – The Applicant is not authorised to access names, contact details, dates of birth, or email addresses for PICAs that have not authorised them to do so. • Duration – This grant of access continues on an ongoing basis. In the event that the Applicant's accreditation is suspended or revoked in whole or in part, this grant of access will automatically lapse. The grant of access automatically resumes when the Applicant becomes fully accredited again. Where this occurs, the System Administrator may review the Applicant's data access and impose further conditions if deemed necessary. • Revocation – The NAIT Information System Administrator and/or the NAIT Information System Access Panel reserve the right at any time to amend, suspend, or revoke this grant of data access and any of its conditions or to request the Applicant to re-submit an application for a grant of access. <p><i>(The below condition is not included in all approvals.)</i></p> <ul style="list-style-type: none"> • Method of access – It is a condition of access that the Applicant use only the method approved by the System Administrator to link into and access the NAIT information system. <p>The Applicant is not permitted to use the NAIT information system's Common Systems Interface (CSI) to connect to the NAIT information system. This is due to the NAIT organisation being unable to verify that linking into and accessing NAIT using our Common Systems Interface does not compromise the operation of the NAIT information system (ref s 46(15)(c) and/or s 46(19)(b) NAIT Act 2012).</p>

