



**NAIT Information
System Access
Panel Annual
Report 2020**



NAIT Information System Access Panel Annual Report 2020

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 2020.

NAIT programme

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 2020, the members of the Panel were:

- Barry Brown (Chairman from 16 September 2015. Reappointed 21 July 2018)
- Lesley Campbell (appointed 11 December 2015. Reappointed 11 December 2018)
- Mike Pohio (appointed 19 January 2017, resigned 29 February 2020)
- Fenton Wilson (appointed 29 June 2018)
- James Parsons (appointed 1 March 2020).

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

The NAIT Information System Administrator is required to be appointed by NAIT 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 2020, the System Administrators were:

- Tanya Robinson (until January 2020)
- Christine Griffiths (from February 2020)

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.

Applications

During the year the Panel held three meetings. The Panel maintains a register of member interests and a conflict of interests policy. It regulates its own procedures.

In the year that ended 30 June 2020, 16 applications were received for access to

NAIT data. Of these, three applications were referred to the Panel. One application requires more information from the applicant before it can proceed.

The remaining 12 applications were determined by the System Administrator.

Table 1 sets out the details of the 16 applications received. Table 2 reports the conditions of access imposed on applications.

No complaints or breaches

There were no complaints received during the reporting period. There were no known breaches of conditions during the reporting period.

Summary of application decisions since 2012

The number of applications for access to NAIT has varied over the past seven years (see Figure 1). Over 85% of applications have been granted, with the exception of 2013/14 when several applications for information relating to stock theft were declined.

Figure 1: Summarises applications considered since NAIT’s establishment in July 2012.

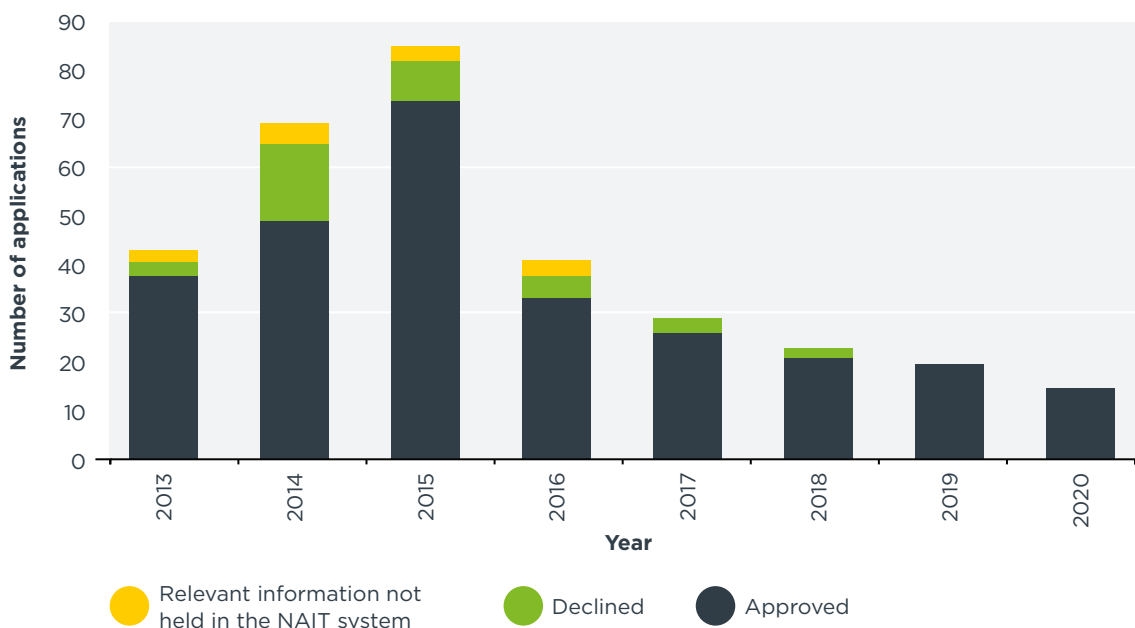


Table 1

Application number	Nature and purpose of application	Purpose	General nature of information
Ministry for Primary Industries			
323	To provide statistical data for policy development and related advice about the industries to which the NAIT Act applies	Section 40(g)	Information relating to all cattle registration, movement and slaughter for a specific time frame
Police and local government			
325	To comply with a Production order under section 74 of the Search and Surveillance Act 2012	Section 45(6)	Information relating to specific PICA, NAIT location or NAIT Animal movement details
326	To comply with a Production order issued under Section 9 and 33 of the Serious Fraud Office Act 1990	Section 45(6)	Information relating to specific PICA, NAIT location or NAIT Animal movement details
327	To comply with a Production order issued under Section 9 and 33 of the Serious Fraud Office Act 1990	Section 45(6)	Information relating to specific PICA, NAIT location or NAIT Animal movement details
328	To comply with a Production order under section 104 of the Criminal Proceeds (Recovery) Act 2009	Section 45(6)	Information relating to specific PICA, NAIT location or NAIT Animal movement details
331	To comply with a Production order under section 74 of the Search and Surveillance Act 2012	Section 45(6)	Information relating to specific PICA, NAIT location or NAIT Animal movement details
335	To comply with a Production order under section 104 of the Criminal Proceeds (Recovery) Act 2009	Section 45(6)	Information relating to specific PICA, NAIT location or NAIT Animal movement details
337	To comply with a Production order under section 74 of the Search and Surveillance Act 2012	Section 45(6)	Information relating to specific PICA, NAIT location or NAIT Animal movement details
342	To respond to wandering stock that had been impounded	Section 40(j)	Personal information to identify the PICA and NAIT Location for an impounded NAIT animal
Sector			
333	To provide data to inform a model showing daily risk of animal movements between sectors	Section 40(c)	Information relating to animal movements between sectors and locations
334	To provide data to support the development of an audit trail of hides processed at a tannery	Section 40(e)	Information relating to all cattle that are processed for the leather and pharmaceutical industries
Other			
329	To comply with Section 45(2)(a) or (b) where the applicant may apply for access to the applicant's personal information	Section 45(3)	Information relating to the applicant's own records held by NAIT Ltd
330	To facilitate recovery of an animal	Section 40(c)	Information relating to movements and change of PICA of animal for a specific animal
332	To comply with Principle 11(e) of the Privacy Act 1993	Section 40(c)	Information relating to movement details for a specific animal
336	To comply with a subpoena issued to the NAIT System Administrator	N/A	Information relating to movements of specific animals
338	TBD	TBD	Information relating to animals registered to a specific location
Total			

Decision by	Approved in whole	Approved in part	Declined	Conditions ²	Comments
Panel	1			Yes	
SA	1			No	
SA	1			No	
SA	1			No	
SA	1			No	
SA	1			No	
SA	1			No	
SA	1			No	
SA	1			No	
Panel	1			Yes	
Panel		1		Yes	Personal information will not be provided
SA	1			No	
SA	1			No	
SA	1			No	
SA	1			No	
					On hold – Awaiting further information from applicant
14	1	0			

² See Table 2 for conditions

Table 2: Conditions

Application number	Conditions of access
323	<ol style="list-style-type: none"> 1. The NAIT Information System data requested under this determination will be provided from the NAIT Information System direct to MPI and not to any third party. 2. NAIT must be satisfied that any third-party provider performing a role with or for MPI in relation to the proof of concept project involving the NAIT data has signed a contract with MPI which: <ol style="list-style-type: none"> a. requires all NAIT data (and any information containing, or derived from, that data) to be kept confidential b. prohibits the distribution by that third-party provider (other than to MPI) of any NAIT data or any information containing, or derived from, that NAIT data c. prohibits that third-party provider using that NAIT data (and any information containing, or derived from, that data) other than for the purposes of MPI's proof of concept project d. requires that third-party provider to return or destroy all NAIT data (and any information containing or derived from that NAIT data) at the conclusion of the project or earlier if requested by MPI. 3. The NAIT data provided pursuant to this determination is to be used solely for MPI's proof of concept project pursuant to Section 40(g) of the National Animal Identification and Tracing Act 2012 and is not to be used for any other purpose. In particular that data is not to be used for compliance or monitoring under that Act or for any commercial purpose. 4. The NAIT data provided to MPI must be destroyed by MPI after the proof of concept pilot has been completed. 5. MPI must advise NAIT should any NAIT data provided to MPI be inconsistent with information becoming available to MPI during its verification audits so that (if required) NAIT may (in consultation with the relevant PICA or its delegate, if necessary) correct the data in its system. 6. 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.
333	<ol style="list-style-type: none"> 1. The data must only be used to assist the understanding of the spread of <i>Mycoplasma bovis</i> disease and to assist planning for its eradication. 2. The NAIT System Administrator will review this application by 1 September 2020 to determine if the applicant still requires access to the data, unless previously notified of the data's destruction. 3. The applicant will destroy the data at the end of the project and will provide written confirmation of its destruction to the NAIT System Administrator. 4. The data will not be shared with any other third-party company other than the relevant contractor and the applicant. 5. Signed confidentiality agreements exist between the relevant contractor and the applicant and between the applicant and MPI.
334	<ol style="list-style-type: none"> 1. OSPRI will monitor the use of the API solution and can review requests from the applicant for NAIT data and the responses sent by OSPRI. 2. The sole purpose of use of the NAIT data is for supporting productivity, market assurance and trading requirements purposes (section 40(1)(e)) within the leather and pharmaceutical industries. 3. A 3-year review of this request (by end of May 2023) is to be conducted.



