



# **NAIT** **Information** **System** **Access Panel**

**Annual Report 2021**



# NAIT Information System Access Panel

## Annual Report 2021

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 2021.

### 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 dataset<sup>1</sup>.

### 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 2021, 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 (appointed 1 March 2020)
- Lesley Campbell (appointed 11 December 2015; reappointed 11 December 2018; stood down 20 November 2020)
- Nikki Davies-Colley (appointed 17 December 2020)

### PANEL MEMBERS



Barry Brown



Fenton Wilson



James Parsons



Nikki Davies-Colley

<sup>1</sup> 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 2021, the System Administrator role was held by:

- Julia Parr (from 1 August 2020)
- Christine Griffiths (from February 2020 to 31 July 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 2021, 26 applications were received for access to NAIT data. Of these, four applications were referred to the Panel. One application is yet to be determined and two applications were withdrawn.

The remaining 19 applications were determined by the System Administrator.

Table 1 sets out the details of the 26 applications received. Table 2 reports the conditions of access imposed on applications.

**NO COMPLAINTS OR BREACHES**

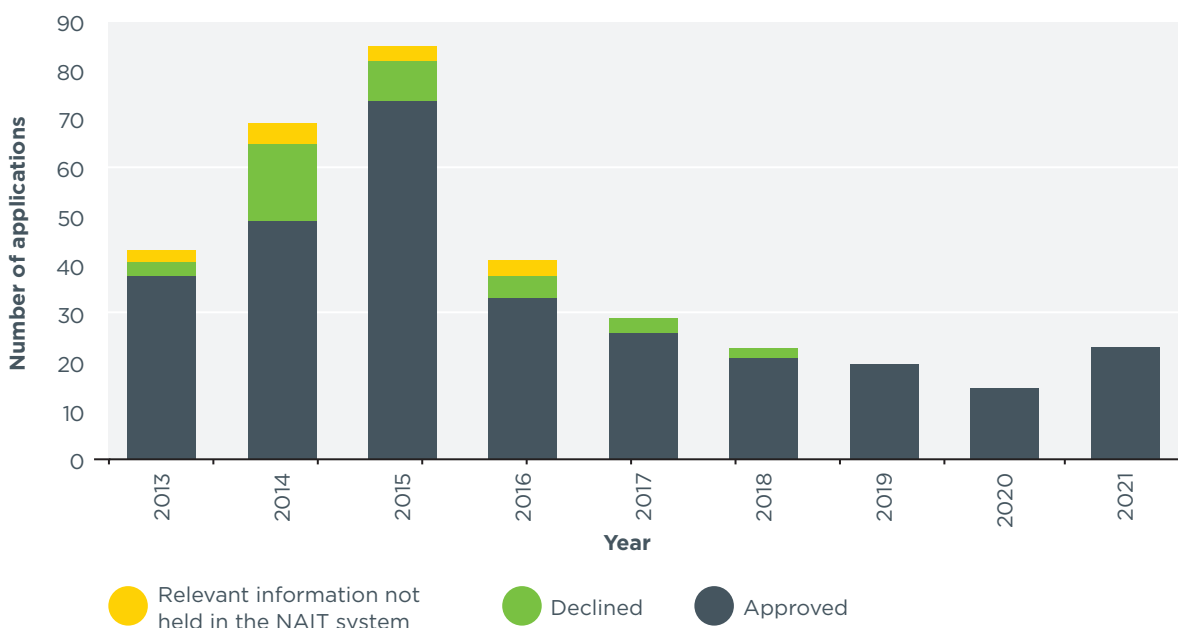
There were no complaints received during the reporting period.

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 nine years (see Figure 1). Over 85% of applications have been granted during this time.

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



**Table 1**

Application number	Nature and purpose of application	Section 40 purpose	General nature of information	Decision by	Approved in whole	Approved in part	Declined	Conditions	Comments
<b>Ministry for Primary Industries</b>									
347	To facilitate the purposes of the Animal Products Act 1999	Section 40(c)	Information relating to NAIT animals including the person in charge for animal welfare purposes	SA	1			No	
350	To facilitate the purposes of the Animal Products Act 1999	Section 40(c)	Information relating to movements, animals and land information for a specified NAIT location	SA	1			No	
355	To assist a person with duties under the NAIT Act	Section 40(b)	Information relating to customer contact records	SA	1			No	
359	To comply with a production order under section 74 of the Search and Surveillance Act 2012		Information relating to location, animal and account activity reports and CRM records	SA	1			No	
361	To comply with a production order under section 74 of the Search and Surveillance Act 2012		Information relating to location, animal and account activity reports and CRM records	SA	1			No	

Table 1 continued

Application number	Nature and purpose of application	Section 40 purpose	General nature of information	Decision by	Approved in whole	Approved in part	Declined	Conditions	Comments
<b>Police and local government</b>									
342	To respond to wandering stock	Section 40(j)	Information relating to wandering stock	SA	1			No	
343	To respond to wandering stock	Section 40(j)	Information relating to wandering stock	SA	1			No	
345	To respond to wandering stock	Section 40(j)	Information relating to wandering stock	SA	1			No	
346	To comply with a production order under section 74 of the Search and Surveillance Act 2012		Information relating to specific PICA, NAIT location or NAIT animal movement details	SA	1			No	
352	To respond to inquiries about theft of NAIT animals	Section 40(j)	Information relating to specific PICA, NAIT location or NAIT animal movement details						Application withdrawn
353	To respond to an animal found dead in a public place	Section 40(j)	Information relating to the person in charge of an animal found dead in a public place	SA	1			No	
354	To respond to wandering stock	Section 40(j)	Information relating to the person in charge of a wandering animal	SA	1			No	
356	To respond to wandering stock	Section 40(j)	Information relating to the person in charge of a wandering animal	SA	1			No	
363	To provide statistical data for policy development	Section 40(g)	Information relating to stock numbers in a defined geographical area						Yet to be determined
364	To respond to an animal found dead in a public place	Section 40(j)	Information relating to the person in charge of an animal found dead	SA	1			No	
365	To respond to wandering stock	Section 40(j)	Information relating to the person in charge of a wandering animal	SA	1			No	

Table 1 continued

Application number	Nature and purpose of application	Section 40 purpose	General nature of information	Decision by	Approved in whole	Approved in part	Declined	Conditions	Comments
<b>Sector</b>									
334	To provide data to support the leather and pharmaceutical industries	Section 40(e)	Information relating to animal and movement data	Panel		1		Yes	Personal information will not be provided
<b>Application 334 was discussed at Panel meetings in both the 2020 and 2021 years</b>									
339	To provide data to assist persons with duties under the NAIT Act to carry out their duties and to facilitate the purposes of the Biosecurity Act 1993	Section 40(b) and 40(c)	Information relating to location numbers	Panel	1			Yes	
348	To provide data to support the promotion of high value, fully traceable products sold internationally and to enable the applicant to trace the history of an animal before purchase	Section 40(e) and 40(i)	Information relating to animal movements	Panel	1			Yes	
349	To provide statistical data for policy development for the agricultural industry	Section 40(g)	Information relating to animals present within a region	Not required					Application withdrawn; information released by the NAIT organisation under section 49

Table 1 continued

Application number	Nature and purpose of application	Section 40 purpose	General nature of information	Decision by	Approved in whole	Approved in part	Declined	Conditions	Comments
<b>Other</b>									
344	To comply with a notice under section 171 of the Insolvency Act 2006		Information relating to animal movements for a specified NAIT location	SA	1			No	
351	To comply with section 17B of the Tax Administration Act 1994		Information relating to animal movements for a specified NAIT location, and to animals present at a specified location at a point in time	SA	1			No	
357	To respond to wandering stock and to an animal found dead in a public place	Section 40(j)	Information relating to the current location and person in charge of an animal	SA	1			No	
358	To comply with section 261 of the Companies Act 1993		Information relating to movements to and from a specified location	SA	1			No	
360	To provide data that is the applicant's personal information	Section 45(2)	Information relating to records of correspondence with OSPRI	SA	1			No	
362	To provide statistical data that will be made available to support policy development and related advice about the livestock industry in relation to agricultural impacts on the natural environment	Section 40(g)	Information relating to the movement of animals	Panel	1			Yes	
<b>Total</b>					<b>22</b>	<b>1</b>	<b>0</b>		

**Table 2**

Application number	Conditions of access
334	<ol style="list-style-type: none"> <li>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.</li> <li>2. The sole purpose of use of NAIT data is for supporting productivity, market assurance and trading requirements purposes (section 40(1)(e)) within the leather and pharmaceutical industries.</li> <li>3. A 3-year review of this request (by end of May 2023) is to be conducted.</li> </ol>
339	<ol style="list-style-type: none"> <li>1. The applicant must notify the System Administrator of the names of all relevant contractors who it proposes to have access to the NAIT location number.</li> <li>2. The applicant must have a robust confidentiality agreement with any of its relevant contractors that will have access to the NAIT location number. The confidentiality agreement must include the following obligations of the contractor; <ol style="list-style-type: none"> <li>a. the NAIT location number must be accessed and used consistently with the particular statutory purposes for which access under s 46(4)(b) was granted,</li> <li>b. the NAIT location number must not be disclosed by the contractor to any third-party other than the applicant, the NAIT organisation, the Ministry for Primary Industries, and the person whose NAIT location number it is.</li> </ol> </li> <li>3. The applicant or its contractor must enter in the DMS or advise the NAIT organisation of the following; <ol style="list-style-type: none"> <li>a. verification of the NAIT location number for the relevant property, and</li> <li>b. any corrections or updates that are required in respect of the NAIT location or the NAIT animals kept at that location.</li> </ol> </li> <li>4. Any NAIT location number accessed or collected by the applicant or its contractor is not to be developed or stored in a data system other than the DMS.</li> <li>5. Contractors will not be given direct access to the NAIT information system.</li> <li>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.</li> <li>7. A review of this data access will take place annually by the System Administrator on or about 31 March.</li> </ol>



Table 2 continued

Application number	Conditions of access
348	<ol style="list-style-type: none"> <li>1. The applicant must agree in writing with each PICA whose NAIT core data that is personal information is being accessed that outlines at a minimum;               <ol style="list-style-type: none"> <li>a. That the PICA has given express consent to the access to core data that is personal information,</li> <li>b. The purpose for which the data is being accessed and held by the applicant,</li> <li>c. The term for which the NAIT core data that is personal information will be retained by the applicant.</li> </ol> </li> <li>2. The applicant must provide evidence of PICA consent to the NAIT System Administrator or to the NAIT Organisation. Where the applicant is unable to provide evidence of express consent from the PICA whose personal information is sought, the NAIT core data that is personal information will be withheld.</li> <li>3. The PICA may withdraw consent to access of their NAIT core data that is personal information by notice to the NAIT System Administrator or the NAIT Organisation. Upon withdrawal of consent, the applicant must delete any personally identifiable data that is held about that person.</li> <li>4. The NAIT information system must record each time data is accessed by the applicant.</li> <li>5. The NAIT information must be accessed and used consistently with the purposes for which access under s 46(4)(a) and 46(7) was granted.</li> <li>6. 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 1993.</li> <li>7. The NAIT information obtained from the NAIT system must not be disclosed to any third-party.</li> <li>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.</li> <li>9. A review of this data access will take place annually by the System Administrator on or about 30 September.</li> </ol>
362	<ol style="list-style-type: none"> <li>1. The NAIT information must be accessed and used consistently with the purposes for which access under section 46(10) was granted.</li> <li>2. The NAIT information dataset obtained from the NAIT information system is to be only accessible by, or disclosed to, specified personnel of the applicant. Further dissemination of the dataset to additional named personnel of the applicant must be requested in writing and approved by the NAIT Information System Administrator.</li> <li>3. The applicant may publish general movement statistics (e.g., to provide an example movement matrix in the dissertation or supporting publications). However, the dataset obtained from the NAIT information system must not be disclosed to any third party in its entirety.</li> <li>4. 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.</li> <li>5. The NAIT data obtained from the NAIT information system in its raw form (the .CSV file) must be destroyed by the applicant no later than 30 June 2022 (unless otherwise agreed in writing by the System Administrator) and written confirmation of destruction must be provided to the System Administrator.</li> </ol>