

House of Representatives

Supplementary Order Paper

Wednesday, 27 July 2022

Data and Statistics Bill

Proposed amendment

Dr Elizabeth Kerekere, in Committee, to move the following amendment:

New clause 99A

After *clause 99* (page 50, after line 9), insert:

99A Review of operation of Act

- (1) The Minister must, within 3 years of the commencement of this Act,—
 - (a) set terms of reference for a review of the Act; and
 - (b) assemble a panel of qualified, independent persons; and
 - (c) direct this panel to commence a review of the operations of the Act in accordance with the terms of reference.
- (2) Any terms of reference under **subsection (1)(a)** must include—
 - (a) examination of the extent to which the purpose of the Act has been achieved; and
 - (b) whether the operation of the Act is meeting public expectations for data integrity and privacy, particularly in relation to—
 - (i) data collection practices, including when data is collected for research purposes; and
 - (ii) provision of data to organisations for research; and
 - (iii) transparency and reporting of how data is collected and used.

- (3) A review under **subsection (1)** must be completed, and its findings reported to the Minister, within 18 months of its commencement.
- (4) As soon as practicable after receiving a report under **subsection (3)**, the Minister must present a copy of the report to the House of Representatives.
- (5) From time to time, and otherwise than in accordance with **subsection (1)**, the Minister may assemble a panel of qualified, independent persons and direct them to review the operation and effectiveness of this Act in accordance with terms of reference set by the Minister.
- (6) Before commencing a review under **subsection (1)** or **(5)**, the Minister must consult with, and have regard to the views of,—
 - (a) the Data Iwi Leaders Group; and
 - (b) the Privacy Commissioner; and
 - (c) the Chief Ombudsman.
- (7) Any consultation undertaken under **subsection (6)** must include consideration of—
 - (a) the terms of reference of the review; and
 - (b) the membership of the panel undertaking the review.

Explanatory note

This Supplementary Order Paper amends the Data and Statistics Bill to require the operation of the legislation to be reviewed within 3 years of enactment, and for the Data Iwi Leaders Group, the Privacy Commissioner, and the Chief Ombudsman to be consulted on the terms of reference for any review.