

# **Whanganui Amateur Musical and Dramatic Society Incorporated Privacy Policy**

## **Section 1**

Whanganui Amateur Musical and Dramatic Society Incorporated (henceforth known as Amdram) shall not use personal information without taking such steps (if any) as are, in the circumstances, reasonable to ensure that having regard to the purpose for which the information is proposed to be used, the information is accurate, up to date, complete, relevant, and not misleading.

## **Section 2**

Whanganui Amdram shall not keep personal information for longer than is required for the purposes for which the information may lawfully be used.

## **Section 3**

Whanganui Amdram shall not use any personal information that was obtained in connection with one purpose for any other purpose unless we believe, on reasonable grounds, -

1. that the source of the information is a publicly available publication; or
2. that the use of the information for that other purpose is authorised by the individual concerned; or
3. that non-compliance is necessary -
  - 3.1 to avoid prejudice to the maintenance of the law by any public sector agency, including the prevention, detection, investigation, prosecution, and punishment of offences; or
  - 3.2 for the enforcement of a law imposing a pecuniary penalty; or
  - 3.3 for the protection of the public revenue; or
  - 3.4 for the conduct of proceedings before any court or tribunal (being proceedings that have been commenced or are reasonably in contemplation); or
4. that the use of the information for that other purpose is necessary to prevent or lessen a serious and imminent threat to -
  - 4.1 public health or public safety; or
  - 4.2 the life or health of the individual concerned or another individual; or
5. that the purpose for which the information is used is directly related to the purpose in connection with which the information was obtained; or
6. that the information -
  - 6.1 is used in a form in which the individual concerned is not identified; or
  - 6.2 is used for statistical or research purposes and will not be published in a form that could reasonably be expected to identify the individual concerned; or
7. that the use of the information is in accordance with an authority granted under section 54 (see below).

## **Section 4**

Whanganui Amdram shall not disclose any personal information to a person or body or agency unless we believe, on reasonable grounds -

1. that the disclosure of the information is one of the purposes in connection with which the information was obtained or is directly related to the purposes in connection with which the information was obtained; or
2. that the source of the information is a publicly available publication; or
3. that the disclosure is to the individual concerned; or
4. that the disclosure is authorised by the individual concerned; or
5. that non-compliance is necessary -
  - 5.1 to avoid prejudice to the maintenance of the law by any public sector agency, including the prevention, detection, investigation, prosecution, and punishment of offences; or
  - 5.2 for the enforcement of a law imposing a pecuniary penalty; or
  - 5.3 for the protection of the public revenue; or
  - 5.4 for the conduct of proceedings before any court or tribunal (being proceedings that have been commenced or are reasonably in contemplation); or
  - 5.5 that the disclosure of the information is necessary to prevent or lessen a serious and imminent threat to public health or public safety; or

- 5.6 the life or health of the individual concerned or another individual; or
- 5.6 that the disclosure of the information is necessary to facilitate the sale or other disposition of a business as a going concern; or
- 5.7 that the information is to be used in a form in which the individual concerned is not identified; or
- 5.8 is to be used for statistical or research purposes and will not be published in a form that could reasonably be expected to identify the individual concerned; or
- 5.9 that the disclosure of the information is in accordance with an authority granted under section 54 (see below)

## **Privacy Act 1993 Reprint as at 1 May 2011**

### **Principle 2 - Source of personal information**

1. Where an agency collects personal information, the agency shall collect the information directly from the individual concerned.
2. It is not necessary for an agency to comply with subclause (1) if the agency believes, on reasonable grounds;
  - 2.1 that the information is publicly available information; or
  - 2.2 that the individual concerned authorises collection of the information from someone else; or
  - 2.3 that non-compliance would not prejudice the interests of the individual concerned; or
  - 2.4 that non-compliance is necessary—
    - 2.4.1 to avoid prejudice to the maintenance of the law by any public sector agency, including the prevention, detection, investigation, prosecution, and punishment of offences; or
    - 2.4.2 for the enforcement of a law imposing a pecuniary penalty; or
    - 2.4.3 for the protection of the public revenue; or
    - 2.4.4 for the conduct of proceedings before any court or tribunal (being proceedings that have been commenced or are reasonably in contemplation); or
  - 2.5 that compliance would prejudice the purposes of the collection; or
  - 2.6 that compliance is not reasonably practicable in the circumstances of the particular case; or
  - 2.7 that the information—
    - 2.7.1 will not be used in a form in which the individual concerned is identified; or
    - 2.7.2 will be used for statistical or research purposes and will not be published in a form that could reasonably be expected to identify the individual concerned; or
  - 2.8 that the collection of the information is in accordance with an authority granted under section 54.

### **Principle 10 - Limits on use of personal information**

An agency that holds personal information that was obtained in connection with one purpose shall not use the information for any other purpose unless the agency believes, on reasonable grounds,—

1. that the source of the information is a publicly available publication; or
2. that the use of the information for that other purpose is authorised by the individual concerned; or
3. that non-compliance is necessary—
  - 3.1 to avoid prejudice to the maintenance of the law by any public sector agency, including the prevention, detection, investigation, prosecution, and punishment of offences; or
  - 3.2 for the enforcement of a law imposing a pecuniary penalty; or
  - 3.3 for the protection of the public revenue; or
  - 3.4 for the conduct of proceedings before any court or tribunal (being proceedings that have been commenced or are reasonably in contemplation); or
4. that the use of the information for that other purpose is necessary to prevent or lessen a serious and imminent threat to—
  - 4.1 public health or public safety; or
  - 4.2 the life or health of the individual concerned or another individual; or
5. that the purpose for which the information is used is directly related to the purpose in connection with which the information was obtained; or
6. that the information—
  - 6.1 is used in a form in which the individual concerned is not identified; or
  - 6.2 is used for statistical or research purposes and will not be published in a form that could reasonably be expected to identify the individual concerned; or

7. that the use of the information is in accordance with an authority granted under section 54.

**Principle 11 - Limits on disclosure of personal information**

An agency that holds personal information shall not disclose the information to a person or body or agency unless the agency believes, on reasonable grounds,—

1. that the disclosure of the information is one of the purposes in connection with which the information was obtained or is directly related to the purposes in connection with which the information was obtained; or
2. that the source of the information is a publicly available publication; or
3. that the disclosure is to the individual concerned; or
4. that the disclosure is authorised by the individual concerned; or
5. that non-compliance is necessary—
  - 5.1 to avoid prejudice to the maintenance of the law by any public sector agency, including the prevention, detection, investigation, prosecution, and punishment of offences; or
  - 5.2 for the enforcement of a law imposing a pecuniary penalty; or
  - 5.3 for the protection of the public revenue; or
  - 5.4 for the conduct of proceedings before any court or tribunal (being proceedings that have been commenced or are reasonably in contemplation); or
6. that the disclosure of the information is necessary to prevent or lessen a serious and imminent threat to—
  - 6.1 public health or public safety; or
  - 6.2 the life or health of the individual concerned or another individual; or
7. that the disclosure of the information is necessary to facilitate the sale or other disposition of a business as a going concern; or
8. that the information—
  - 8.1 is to be used in a form in which the individual concerned is not identified; or
  - 8.2 is to be used for statistical or research purposes and will not be published in a form that could reasonably be expected to identify the individual concerned; or
9. that the disclosure of the information is in accordance with an authority granted under section 54.

**Section 5**

1. The Commissioner may authorise an agency to collect, use, or disclose personal information, even though that collection, use, or disclosure would otherwise be in breach of principle 2 or principle 10 or principle 11, if the Commissioner is satisfied that, in the special circumstances of the case,—
  - 1.1 the public interest in that collection or, as the case requires, that use or that disclosure outweighs, to a substantial degree, any interference with the privacy of the individual that could result from that collection or, as the case requires, that use or that disclosure; or
  - 1.2 that collection or, as the case requires, that use or that disclosure involves a clear benefit to the individual concerned that outweighs any interference with the privacy of the individual that could result from that collection or, as the case requires, that use or that disclosure.
2. The Commissioner may impose in respect of any authority granted under subsection (1) such conditions as the Commissioner thinks fit.
3. The Commissioner shall not grant an authority under subsection (1) in respect of the collection, use, or disclosure of any personal information for any purpose if the individual concerned has refused to authorise the collection or, as the case requires, the use or disclosure of the information for that purpose.