

# THE HUMAN RIGHTS REVIEW TRIBUNAL

## Appeal against compliance notice

(under the Privacy Act 2020)



Office use only: **HRRT No**

### When to use this form

Use this form to file an appeal against a compliance notice under section 131 of the Privacy Act 2020 or against a decision by the Privacy Commissioner to vary or cancel the notice.

### Completing this form

- Print clearly in CAPITALS. Use a black or blue pen when completing this form.
- Please file four physical copies of this appeal either by post or by handing them in to the Secretary of the Tribunal at the address shown at the end of this form.
- Answer every question on the form unless the instructions tell you otherwise.

### Before you continue

Please tick to confirm the following:

The Privacy Commissioner has issued a compliance notice to the agency; **or**

The Privacy Commissioner has made a decision to vary or cancel the notice; **and**

This appeal has been lodged within 15 working days from the day on which the compliance notice was issued or the notice of the decision was given to the agency.

## Step 1. Appellant/person appealing (please provide your details)

Name \_\_\_\_\_  
First Middle Surname

Phone/mobile number \_\_\_\_\_

Preferred contact option for this appeal? Please choose one and give the details.

Email Postal address

Email address \_\_\_\_\_

**Postal address**

Street \_\_\_\_\_

Suburb \_\_\_\_\_

City \_\_\_\_\_

State (if outside NZ) \_\_\_\_\_

Post code \_\_\_\_\_

Country \_\_\_\_\_

**Do you require an interpreter during the hearing?**

Yes.

No.

In what language? \_\_\_\_\_

**Do you have a representative (a lawyer or an authorised person acting on your behalf)?**

Yes.

No. Then proceed to Step 2

If yes, please fill in the details below.

Tick the relevant box:

My representative is my lawyer.

My representative is a non-lawyer and I give my authorisation for this person (named below) to act on my behalf against the respondent.

\_\_\_\_\_  
Name and signature (appellant)

\_\_\_\_\_  
Date

**Name of lawyer or  
authorised representative** \_\_\_\_\_

**Name of company (if applicable)** \_\_\_\_\_

**Phone/mobile number** \_\_\_\_\_

**Email address** \_\_\_\_\_

**Postal address**

\_\_\_\_\_  
Street

\_\_\_\_\_  
Suburb City

\_\_\_\_\_  
State (if outside NZ) Post code

\_\_\_\_\_  
Country

I agree to accept all notices and other communications relating to this appeal on behalf of the appellant.

\_\_\_\_\_  
Representative's signature

\_\_\_\_\_  
Date

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## Step 2. Respondent– Privacy Commissioner

**Legal representative acting  
on behalf of  
the Privacy Commissioner**

\_\_\_\_\_

**Phone or mobile:**

\_\_\_\_\_

**Email address:**

\_\_\_\_\_

**Postal address**

\_\_\_\_\_  
Street

\_\_\_\_\_  
Suburb City

\_\_\_\_\_  
State (if outside NZ) Post code

\_\_\_\_\_  
Country

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## Step 3. Facts of the case (tell us why you are filing this appeal)

**Date of the compliance notice/decision to vary or cancel the notice** \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ (day/month/year)

Please attach a copy of the compliance notice or of the decision to vary or cancel the notice issued by the Privacy Commissioner.

**State briefly and clearly the facts giving rise to your appeal:**

**Have you complied with the notice in full or in part? If yes, set out the steps taken to comply with the notice or to remedy the breach stated in the notice.**

1. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Are you appealing against all of the notice/ part of the notice?**

1. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**What is the basis for your appeal under s 131: (a) the notice does not comply with the law, (b) the Privacy Commissioner should have exercised a discretion differently or (c) the agency has fully complied with the notice?**

1. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**If you need additional space, please attach a separate sheet of paper.**

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## Step 4. What order(s) do you want the Tribunal to make?

With reference to sections 131 and 133 of the Privacy Act 2020, state the particular orders that you want the Tribunal to make: an order confirming, cancelling or modifying the notice.

With reference to section 132 of the Privacy Act 2020, state also whether you want the Tribunal to make an interim order suspending all or part of the compliance notice until the appeal is determined.

1. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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Name and signature (appellant)

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Date

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## Step 5. Do a quick check

### Before sending in this form – check:

You have answered every question

You have signed and dated this form



You have attached a copy of the compliance notice/ decision to vary or cancel the notice



You have attached four physical copies of this appeal (as per the instruction at the beginning of this form)

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## Step 6. Send in this form

Please hand in the completed form and an additional copy to the Secretary at the address below or post to:

**The Secretary  
The Human Rights Review Tribunal  
Tribunals Unit  
Ministry of Justice  
SX 11159, Wellington  
Level 1, 86 Customhouse Quay, Wellington 6011**

If you need more help filling in this form, please call (04) 462 6660 or email [hrrt@justice.govt.nz](mailto:hrrt@justice.govt.nz)

or visit [www.justice.govt.nz/hrrt](http://www.justice.govt.nz/hrrt)