Privacy Protection vis-a-vis New Zealand- NZ COVID Tracer Application

The Corona pandemic has alarmed the governments of all the countries. Innovations are introduced at various levels. Contact Tracing applications have been launched to trace and monitor the movements of the Corona suspects and patients. India is using Aarogya Setu application in April 2020, Iran released the Mask application, Israel launched the Hamagen application and so on. Some of the countries such as Austria, Ireland and Switzerland have opted to use the Apple-Google venture. The security experts have questioned the privacy dimensions in the use of the applications. New Zealand, an island country tossed own application with all privacy issues handled before-hand. NZ COVID Tracer is a Ministry of Health app that permits creating a digital diary of places being visited by scanning the official QR codes. The application allows contact tracers to identify anyone who may have been exposed to COVID-19 so and quickly break the chain of transmission. It has been developed for the Ministry of Health by New Zealand company Rush Digital and relies in part on the Amazon Web Services (AWS) platform. Any information recorded by NZ COVID Tracer that one chooses to share for contact tracing is encrypted before it is sent to the Ministry via the AWS cloud services platform. The Ministry retains control of the decryption keys. The application requires and email address and creation of a password. To complete the sign-up process, a 6-digit code on email is sent. After signing up, one needs to share personal information and contact details. All registration information is optional, other than the email address. The contact alert process for NZ COVID Tracer does not involve transmitting any information from the phone. If someone is identified as a confirmed or probable case of COVID-19, it is his choice whether to share the digital diary with the Ministry. New Zealand police require consent to enforce quarantine via mobile phone tracking.

All businesses must display the official NZ COVID Tracer QR code for each workplace. In addition to displaying an official QR code, businesses must have an alternative record-keeping process in place to keep track of everyone entering the workplace. A separate QR poster is needed for each unique location. Each location must display their poster in either a prominent place or near main entrances. Businesses and services must provide customers, staff and suppliers the ability to scan a QR code with the NZ COVID Tracer app or use an alternative record-keeping system or process that supports contact tracing (such as appointment records or a paper-based sign-in register). Businesses can use any number of different systems and processes to keep a record of all people entering their premise or site. It may be ensured through an electronic system (such as the tablet sign-in apps already used by many businesses to register visitors), or a simple pen-and-paper register using individual slips and a ballot box for storage, or having an employee take attendance records on visitors' behalf. Attendance records should include the person's name, the date, the time, and their phone number. Whatever alternative system they use, it is important that everyone's personal details are collected, kept and used in a way that protects individuals' privacy. Previous visitors' attendance records should not visible to subsequent visitors. Businesses should only collect information if it is necessary to enable contact tracing. The purpose of the collection is to enable the Ministry of Health to contact a person in the event of a suspected or confirmed case of COVID-19. Accordingly, identity verification documents, number plates and other such personal information is unnecessary. Businesses should only ask for name, phone number and the date and time of visit. When collecting this information, advise people that it is being collected to support contact tracing.

The Ministry of Health has consulted with the Privacy Commissioner to ensure NZ COVID Tracer protects the privacy. The personal information and contact details through NZ COVID Tracer are provided to the Ministry of Health so contact tracers can quickly get in touch if a person identified as a close contact of someone who has COVID-19. Digital diary entries are automatically deleted after 60 days. The Office of the Privacy Commissioner has been consulted and is satisfied that the privacy implications (and their mitigations) for the current release of NZ COVID Tracer have been appropriately recorded in the Privacy Impact Assessment. It has also been assessed by independent security experts to ensure the data is managed securely. The application works on two-factor authentication (2FA) to enable an extra layer of security and makes it harder for someone else to gain access to the personal information. NZ COVID Tracer supports 2FA through the use of Time-Based One Time Passwords (TOTPs). The Ministry of Health must ensure that the Privacy Act 1993, the Health Information Privacy Code 1994, the Official Information Act 1982 and any other relevant legislation is followed when considering data requests. Under the Privacy Act 1993, one can request a copy of any information the Ministry of Health holds about himself and also ask for deletion of any information.

In New Zealand, the Privacy Commissioner is entrusted with the task of protection of the personal information. The Privacy Act 1993 mentions 12 principles applicable to data. The present study highlights how the contact tracing application used in New Zealand is able to secure the individual rights of privacy and simultaneously ensure public right of health. The study further analyses the contact tracing application in the light of the Privacy Act, 1993 and other relevant provisions. The study concludes that the implementation of the contact tracing application and all the measures relating to it are in conformity with the relevant legislative provisions. The voluntary use of the application shows that the government of New Zealand is pro-privacy in the modern world of forced surveillance. With time, more and more people would start using the application and increase the desired results.

References

Privacy Act 1993

Health Information Privacy Code 1994

 Official Information Act 1982

https://www.health.govt.nz/our-work/diseases-and-conditions/covid-19-novel-coronavirus/covid-19-resources-and-tools/nz-covid-tracer-app.

Privacy Impact Assessment, Ministry of Health, New Zealand, May 2020.

privacyinternational.org