

## **Land Transport Act 1998: Authorised Access to the Motor Vehicle Register (Motor Vehicle Traders) Notice 2011**

Pursuant to section 241(1) of the Land Transport Act 1998, the Secretary for Transport gives the following notice.

### **Notice**

**1. Title** – This Notice is the Land Transport Act 1998: Authorised Access to the Motor Vehicle Register (Motor Vehicle Traders) Notice 2011.

**2. Commencement** – This Notice comes into force on 1 May 2011.

### **3. Interpretation**

Motor Vehicle Trader has the meaning given to it by section 7 of the Motor Vehicle Sales Act 2003.

Registered Motor Vehicle Trader means a Motor Vehicle Trader registered under the Motor Vehicle Sales Act 2003

### **4. Authorised access to names and addresses held on Motor Vehicle Register –**

A Registered Motor Vehicle Trader may access names and addresses of persons who:

- (a) are currently registered in respect of a motor vehicle; and
- (b) have not instructed the Registrar of Motor Vehicles to withhold their details;

for the purposes specified in paragraph 5, subject to the conditions in paragraph 6.

### **5. Specified purposes**

- (a) To facilitate safety recalls and service campaigns for motor vehicles;
- (b) To assist in verifying the person(s) registered in respect of a motor vehicle when the vehicle is being considered for purchase by the Motor Vehicle Trader from another person;
- (c) To assist in verifying that change of registered persons has been completed correctly; and
- (d) Any other purpose that is necessary to facilitate the sale or purchase of a motor vehicle, other than for marketing purposes.

### **6. Conditions**

- (a) Names and addresses are accessed only by the Motor Vehicle Trader on its own behalf, and solely for its own use;
- (b) Names and addresses may only be accessed for a specified purpose;
- (c) The fees charged for the provision of the names and addresses from the MVR are duly paid;

- (d) Any instances of unauthorised access must immediately be notified to the Secretary for Transport and the Privacy Commissioner;
- (e) Before being permitted to access the Motor Vehicle Register under section 241, all staff must receive training that emphasises that such access must only be for a specified purpose, and refresher training of all staff must be undertaken at appropriate intervals;
- (f) Access must be restricted solely to members of staff for whom authorised access is essential to achieving a specified purpose;
- (g) The names and addresses obtained under this authorisation shall not be disclosed to any third party unless such disclosure is necessarily incidental to achieving a specified purpose; and
- (h) The Motor Vehicle Trader must comply with the Motochek Terms and Conditions, available at <https://motochek.landtransport.govt.nz/mcpro/default.asp?category=mcpro&service=Terms>

**7. Expiry** – This notice expires with the close of 30 April 2016, but may be revoked at any time either generally or in relation to a specific Motor Vehicle Trader.

Dated this                      day of    2011

Martin Matthews  
Secretary for Transport