

VISA PAK ISSUE 455 — 01 DECEMBER 2020

CONSIDERATION OF ALERTS AND WARNINGS IN AMS ASSESSMENT NOTES

Immigration New Zealand (INZ) is currently reviewing its processes and rules for the entry, use and content of AMS alerts and warnings across multiple INZ business units who utilise AMS alerts in the course of their routine business operations. While this work is underway, this article is to remind staff of their obligations under [IAC 16/01 'Guidelines on Alerts and Warnings Internal Distribution'](#), and the requirement to ensure that assessment notes in AMS adequately reflects their consideration of any alerts or warnings.

Reminder

Staff are reminded of [IAC 16/01](#) which provides guidance on assessing expired alerts and warnings. Paragraph 28 states that staff must always note in AMS whether they have read the details of any border alert, branch warning or travel document alert (active, suspended, or expired) and what information was considered relevant, or not relevant to the application being processed. Alerts which have been deleted have already been determined to be irrelevant, and therefore should not be considered or noted in AMS when processing an application. Expired alerts and warnings should be assessed for relevance before making a decision on whether or not to consider the information as part of the assessment.

It is also important to reiterate that alerts and warnings created on LIAs, lawyers or their companies should not be released to their clients/employees in response to an individual's Privacy Act request. This is on the basis that the information is about the adviser or lawyer, and it is necessary to withhold as per s29(1)(a) of the Privacy Act, or s27(1)(b) of the OIA, or s9(2)(b) of the OIA for natural persons. This information includes references to these warnings where they are mentioned in assessments of visa applications.

Staff should also be aware that on 1 December 2020 the Privacy Act 2020 comes into force. The requirements and principles of that Act should also be followed with respect the alerts and warnings. In particular, before using personal information, staff should take steps that are reasonable in the circumstances to ensure that the information is accurate, up to date, complete, relevant, and not misleading (information privacy principle 8).