

# Biometrics & Privacy: what you need to know

**Biometric recognition, or biometrics**, is automated recognition of individuals based on biological or behavioural characteristics. Biometric information is personal information and is regulated by the Privacy Act. Biometric information is particularly sensitive and requires careful assessment before use.

## Privacy Principles

- Agencies must collect only information necessary for their purposes and should consider whether they can achieve their aim without biometrics.
- Collection must be lawful, fair, and not unreasonably intrusive. Covert collection will usually only be permissible under a statutory authorisation.
- When biometric information is collected directly from individuals, they must be informed about how and why it is being collected, who will have access to it, and how it will be stored.
- Information must be held securely to protect it against loss, unauthorised access, and other forms of misuse.
- The sensitivity of biometric information means that breaches will almost always meet the threshold for mandatory notification.
- Biometric technologies can be less accurate for some groups (such as women or ethnic minorities). Technologies must be independently tested for New Zealand, and agencies should regularly review biometric systems.

## Privacy Impact Assessments

OPC expects that agencies will undertake a Privacy Impact Assessment (PIA) for any projects involving biometrics and make a strong business case for using biometrics over other approaches. The PIA should consider how privacy risks will be mitigated, the accuracy of the system has been verified, and frameworks beyond the Privacy Act (such as Māori data sovereignty). In addition to the standard PIA, projects that involve biometrics should also address the following:

- Has the sensitivity of biometric information been considered?
- Is the proposed use of biometrics targeted and proportionate?
- Have perspectives from Te Ao Māori been considered?
- Have relevant stakeholders been consulted?
- Will alternatives to biometrics be available?
- How will transparency be provided?
- What human oversight will be used?

You can find more information about PIAs, including an e-learning course, templates, and further resources, on OPC's website at [www.privacy.org.nz](http://www.privacy.org.nz).

OPC will continue to monitor the use of biometrics in Aotearoa and overseas and consider whether additional regulatory measures are needed in the future.