

Position Paper 2026:

Championing Transparent Data Use and Active Agency

Executive Summary

As TUANZ marks 40 Years championing a brighter digital future for every New Zealander, Aotearoa has entered a new era of digital maturity. With the recent implementation of IPP 3A of the Privacy Act in May 2026, our nation has transitioned from "passive disclosure" to active transparency.

Aligning with our 2026 Action Plan, TUANZ advocates for Transparent Data Use, ensuring individuals have true control over their information by being actively and clearly informed about its purpose. By mastering this transparency, we unlock a massive competitive advantage: building the social licence required to harness the \$76 billion economic potential of Generative AI while protecting the \$17 billion tech export sector that drives our prosperity.

The Current Landscape

New Zealand has established a world-leading foundation for digital trust through bold legislative and strategic actions.

- **The Age of Active Notification:** The arrival of IPP 3A on 1 May 2026 has closed a critical transparency gap, requiring agencies to notify individuals when their data is collected from third parties.
- **Sector-Specific Progress:** The Customer and Product Data Act 2025 has successfully launched the Consumer Data Right (CDR) in the banking and electricity sectors, empowering Kiwis to "vote with their data" to find better deals.
- **The AI Trust Mandate:** While 77% of New Zealanders now knowingly interact with AI, trust remains the primary barrier to deeper adoption. Research shows that 87% of Kiwis view strong data privacy as essential, and 62% would stop using a company if they had concerns about its AI data practices.
- **Cultural Leadership:** New Zealand is unique in our need to commit to Māori Data Sovereignty, framing data as Taonga (a treasure) and integrating Ngā Tikanga Paihere into ethical data frameworks to ensure data use respects the mana and dignity of all.

Our Position

TUANZ stands as the strong independent voice for users navigating a digital world. We assert that trust is the currency of the digital economy. Consistent with our Action Plan for 2026, we advocate for a shift from "notice and consent" to "active and informed agency".



We believe that organisations must act as Kaitiaki (stewards) rather than owners of information, adopting a "no surprises" approach where users are never shocked by how their data is utilised. Transparent data use is not just a compliance checkbox; it is a national benefit that fosters innovation, protects human rights, and ensures Aotearoa remains a trusted digital partner on the global stage.

Recommendations for Action

To build on our progress and ensure every New Zealander is an empowered participant in the digital economy, TUANZ recommends the following four actions:

- **Mandate "Algorithmic Clarity" for High-Stakes Decisions:** The Government and industry should adopt a standard for "Explainable AI". If an algorithm makes a decision impacting a citizen's life (e.g., credit, insurance, or services), the organisation must provide a clear, non-technical explanation of the logic used, moving away from "black box" systems.
- **Adopt Standardised "Data Nutrition Labels":** To combat "wall of text" privacy policies, we call for the development of visual, standardised "Data Nutrition Labels". These labels should allow consumers to compare data practices between providers at a glance, highlighting what is collected, why it's used, and who it's shared with in a simple, accessible format. As part of this approach, we want to see the adoption of "Just-in-Time" notices. Privacy information should be presented at the moment it is relevant (e.g., a pop-up when location data is requested), rather than buried in a static policy.
- **True Individual Control (Self-Sovereignty):** Transparency is the first step, but individual control is the goal. We want to see the expansion of the Consumer Data Right (CDR) beyond the banking and electricity sectors. We support a framework where users can safely share their data with third parties to get better deals, effectively allowing them to "vote with their data." We also want to see universal "Opt-Out" signals that allow users to easily withdraw consent for data tracking across platforms.
- **Upholding Māori Data Sovereignty:** We must ensure that our data landscape honours Te Tiriti o Waitangi. We want to see the implementation of Ngā Tikanga Paihere (guidelines for ethical data use) with data use respecting the mana and dignity of the individuals and groups it represents. We support the principle that Māori data is subject to Māori governance, with governance structures that recognise collective ownership and the right of Māori to derive benefit from their own data.

Conclusion

Aotearoa New Zealand has the potential to lead the world as a high-trust, data-transparent nation. By moving from passive disclosure to active agency, we do more than just protect privacy; we create a more efficient, competitive, and equitable economy. The benefits are clear: businesses that embrace transparency will win consumer loyalty, and a nation that respects Māori Data Sovereignty will create a more inclusive future for all. TUANZ is committed to championing this vision, ensuring that data is used responsibly to improve the lives of every New Zealander.

