



Office of Hon Dr Nick Smith

MP for Nelson  
Minister for the Environment  
Minister for Climate Change Issues  
Minister for ACC

11 MAR 2011

MIN 10/1328 & 10/1399

Ms Bronwyn Pullar

E-MAILED

Dear Bronwyn

I have noted your concerns about ACC's 167 consent form and have looked into this matter. I have no difficulty with it and have checked with our legal team who advise it is consistent with both the Accident Compensation Act 2001 and the Privacy Act 1993.

I note that you have raised concerns about the ACC167 consent form with the Ombudsmen, the State Services Commissioner, and the Privacy Commissioner. I am not sure of the interests of the State Services Commissioner, but believe it is quite appropriate for you to pursue this issue with the Ombudsman and Privacy Commissioner.

The issue for me as an MP and Minister is not just that the ACC167 form is legal (which I am not qualified to judge) but whether it is fair. I am of the view that this information is required by ACC for it to be fair not just to claimants but to those who pay the ACC levies. A case manager or medical advisor needs all the relevant information to be able to make a proper decision on a claim. I can appreciate that such information can be very personal and I do take the view that ACC must be careful about who receives such information. It should only be those who have a proper role to play in ACC determination over cover and care for claimants.

I have previously indicated to you that it would be quite inappropriate for me to interfere in your personal case with ACC, and this remains my view. In the event that you are dissatisfied with any decision, you can quite properly use the review process to challenge and test these. I am satisfied that this is a robust process, although I am planning reforms that would have Dispute Resolution Services Ltd completely separated from ownership of ACC.

I do hope you are able to resolve these issues and move on with your life.

Best wishes

Hon Dr Nick Smith  
Minister for ACC