

## New Zealand Privacy Ruling on Drones

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A decision of the New Zealand Privacy Commissioner in August 2015 strongly indicates that drone operators may not take footage of individuals in private places without their consent. A television company drone covering a sporting event passed close by the complainant's apartment block, prompting the claim that the drone had breached his rights under the Privacy Act 1993 by recording his personal information. The Commissioner rejected the complaint, but commentators note that this was largely on the basis that there was no proof that the drone had actually been filming at the time. Accordingly, no personal information was either collected, viewed, or transmitted. But the implication is that if information had been collected, this would have constituted a breach of the Privacy Act.

**TIP: This case suggests that drone operators in New Zealand should not film individuals on private property and should obtain consent from property owners before passing over such property.**

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