



## DATA WARRANTY REGISTER APPLICATION

Application to be warranted as complying with best practise standards in the collection storage and use of personal data for marketing purposes.

### DATA DECLARATION

This application is made by: \_\_\_\_\_  
(Please print)      Authorised Signatory

Job Title: \_\_\_\_\_

Company/Organisation: \_\_\_\_\_

Tel: \_\_\_\_\_ Email: \_\_\_\_\_

We hereby confirm that we abide by the [Codes of Practice](#) and [Best Practice Guidelines](#) of the Marketing Association.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

NB: The information divulged in this application will be regarded as commercially sensitive and strictly confidential. It will be securely stored and will be accessed only by authorised Marketing Association staff and its authorised compliance consultant(s).

## DECLARATION OF SPECIFIC DATA MANAGEMENT PROCEDURES

(See Appendix 1 for definitions and/or links)

*Please circle the appropriate answer*

### 1. SOURCE/USE OF DATA

1(a) We confirm the following:

- |   |                        |
|---|------------------------|
| (i) We compile our own customer data for marketing or data enrichment purposes                    | Yes / No / Unsure / NA |
| (ii) We compile our own prospect data for marketing or data enrichment purposes                   | Yes / No / Unsure / NA |
| (iii) We rent or buy data from a third party or parties for marketing or data enrichment purposes | Yes / No / Unsure / NA |

If Yes, please specify from whom data is obtained:

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|---|------------------------|
| (iv) All data bought, rented or obtained from a third party is subject to a written contract which stipulates the intended use of the data and verifies that the provider and our organisation are authorised to use such data. | Yes / No / Unsure / NA |
| (v) Data containing information about identifiable individuals obtained from providers who are not DWR-warranted is cleansed to ensure that it is compliant with the DWR standards  | Yes / No / Unsure / NA |

1 (b) In applying to have our data management systems warranted, we hereby affirm that the data compiled, used, modelled, enriched, rented, brokered or sold by us for marketing purposes meets or exceeds all of the minimum requirements of New Zealand Law and industry codes of practice and/or best practice guidelines, including but not limited to:

- |   |                        |
|---|------------------------|
| (i) The Privacy Act 2020 and subsequent amendments and revisions  | Yes / No / Unsure / NA |
| (ii) The Unsolicited Electronic Messages Act 2007 (UEM)   | Yes / No / Unsure / NA |
| (iii) The MA's Codes of Practice and Best Practice Guidelines   | Yes / No / Unsure / NA |
| (iv) Data is collected directly from each individual, or from a source authorised by that person, or from publicly-available data | Yes / No / Unsure / NA |
| (v) The source and date of collection of data is maintained for each record   | Yes / No / Unsure / NA |

## 2. PRIVACY

- (i) We comply with the [Information Privacy Principles](#) in The Privacy Act 2020 Yes / No / Unsure / NA
- (ii) We have a designated [Privacy Officer](#) Yes / No / Unsure / NA

\* Name and contact details: \_\_\_\_\_  
(Please advise the Marketing Association of any change to these details.)

- (iii) Suitable mechanisms and procedures are in place to ensure personal information is securely stored and is only accessed by authorised personnel Yes / No / Unsure / NA
- (iv) Computer screens displaying personal data are not visible to unauthorised persons Yes / No / Unsure / NA
- (v) All personal data is password-protected or held on a private network where access is available only to authorised personnel Yes / No / Unsure / NA
- (vi) Disposal of personal data (electronic & paper-based) is carried out securely Yes / No / Unsure / NA
- (vii) Individuals are given the right to access and update their personal details and updates are actioned within 10 working days (NB: The UEM Act requires 'unsubscribes' to be actioned within 5 working days) Yes / No / Unsure / NA
- (viii) We have a published email address and/or freephone number for individuals to contact in the event of a query or complaints Yes / No / Unsure / NA

## 3. DATA MAINTENANCE

- (i) [Post codes and addressing standards](#) required by Postal authorities are adhered to where the address is supplied for mailing purposes Yes / No / Unsure / NA
- (ii) Address validation systems (e.g. PAF file) are in use Yes / No / Unsure / NA
- (iii) GNA's (Gone No Address) are removed from files within 10 working days of being notified  
*[Data users must return all GNA's to the data provider within 10 working days of receipt.]* Yes / No / Unsure / NA
- (iv) In-house suppression (opt-out) files are in use to flag individuals who do not want to receive unsolicited communications from us Yes / No / Unsure / NA
- (v) The Marketing Association's [Do Not Mail \(DNM\)](#), [Do Not Call \(DNC\)](#) and Deaths Information files are used to suppress, where appropriate, contact to all individuals listed on those files. Yes / No / Unsure / NA
- (vi) An up-to-date data management procedures manual (or similar) is in place. Yes / No / Unsure / NA
- (vii) A risk mitigation procedure is in place to manage complaints and/or data leakages. [NB: You are encouraged to contact the MA if you need assistance.] Yes / No / Unsure / NA

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|--|------------------------|
| (viii) Induction training is provided for all staff involved in data management                            | Yes / No / Unsure / NA |
| (x) Staff training in Privacy legislation/regulations relating to data management is regularly carried out | Yes / No / Unsure / NA |
| (x) We carry out data security reviews at least once a year  | Yes / No / Unsure / NA |

#### 4. DATA TRANSFER

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|---|------------------------|
| (i) Data containing personal information to be transferred to another source is encrypted with 128-bit technology (or better)         | Yes / No / Unsure / NA |
| (ii) Public/Private encryption (where the sender and the recipient have different passwords) is used to transfer personal information | Yes / No / Unsure / NA |
| (iii) All data files are password-protected   | Yes / No / Unsure / NA |
| (iv) Appropriate security measures are in place for physical data transfer via post, courier, etc.                                    | Yes / No / Unsure / NA |
| (v) Memory sticks containing personal data are overwritten or destroyed after use   | Yes / No / Unsure / NA |
| (vi) Personal data transferred via the Internet is sent via a secure link   | Yes / No / Unsure / NA |
| (vii) We sell/rent/share data with other organisations for marketing or data enrichment purposes                                      | Yes / No / Unsure / NA |
| (viii) All such transactions are subject to formal written contracts  | Yes / No / Unsure / NA |

#### 5 DWR TRUSTMARK

|  |                        |
|--|------------------------|
| We agree to display the Data Warranty Register (DWR) Trustmark on appropriate collateral (e.g. brochures, websites etc) in accordance with guidelines published by the MA. | Yes / No / Unsure / NA |
|--|------------------------|

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|--|------------------------|
| We agree to remove the Trustmark if requested to do so by the Marketing Association. | Yes / No / Unsure / NA |
|--|------------------------|

#### 6. COMPLIANCE CHECKS

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|--|------------------------|
| (i) We understand that from time to time random compliance checks on our data management systems may be carried out.                                       | Yes / No / Unsure / NA |
| (ii) Should it be necessary, we would accept the guidance of the MA's compliance consultant to ensure our systems adequately protect personal information. | Yes / No / Unsure / NA |

**7. COMPLAINTS**

We further acknowledge that should a justifiable complaint be received about our management of personal data, a compliance check will automatically be initiated. We understand that should the breach be deemed to be serious, we may be removed from the published list of warranted organisations. Yes / No / Unsure / NA

**8. COMPLAINT RESOLUTION**

We understand that any complaint investigation will be carried out following the rules of 'natural justice' and that should a breach be deemed to be inadvertent or minor, a 'period of grace' may be given to comply and to implement procedures to ensure similar breaches do not recur. Yes / No / Unsure / NA

**9. WARRANTY RENEWAL**

We understand that we will be warranted for a period of 12 months, renewable on payment of the applicable annual fee, based on the formula below: Yes / No / Unsure / NA

| <b>DWR Application/Registration Fees</b>    | <b>Member</b>   | <b>Non Member</b> |
|---|-----------------|-------------------|
| Tier 1: > 5,000 individual records          | \$205+GST p.a.  | \$311+GST p.a.    |
| Tier 2: 5,001 - 50,000 individual records   | \$415+GST p.a.  | \$836+GST p.a.    |
| Tier 3: 50,001 - 200,000 individual records | \$626+GST p.a.  | \$1047+GST p.a.   |
| Tier 4: 200,001+ individual records         | \$1047+GST p.a. | \$2052+GST p.a.   |

NB: The Name Suppression Service subscriptions are not included in this schedule.

We verify that our current data falls into Tier #\_\_ and agree to pay the appropriate application/registration fee.

We further declare that all the answers provided in this application are true and correct as at today's date.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# DATA WARRANTY REGISTER

## APPENDIX 1: DEFINITIONS

|                              |   |
|------------------------------|---|
| Audit                        | Evaluation of data management systems carried out by the Marketing Association  |
| Authorised signatory         | Person authorised by the applicant's organisation to sign formal documents on their behalf  |
| Authorised source            | The organisation collects personal data from sources which it is legally and contractually entitled to access   |
| Computer screens             | Digital/electronic screens which display data about identifiable individuals  |
| Data enrichment              | Any action which enhances, improves or otherwise enriches personal data   |
| Data Warranty Register (DWR) | A published register of organisations committed to best practice data management and are authorised to display the DWR Trustmark  |
| DWR Trustmark                | An emblem or logo owned by the NZ Marketing Association and displayed by authorised organisations   |
| Encryption                   | Protection of data by putting it into a secret code or cipher   |
| Induction training           | Data management training for newly-authorised personnel   |
| Justifiable complaint        | A formal complaint to the MA about the data practices of a (DWR) warranted organisation which appear to breach the codes or best practice guidelines of the Marketing Association.                              |
| Marketing purposes           | Communication of commercial messages to identifiable individuals  |
| Modelled                     | Data which is analysed or further refined   |
| Natural justice              | The right to a fair hearing without bias  |
| New Zealand law              | Acts of Parliament, with particular reference to The Privacy Act 2020   |
| Password                     | A data access code known only to the authorised person  |
| Password-protected           | Access to data is only available to authorised people with individual passwords   |
| Period of grace              | A time agreed between the Marketing Association and the warranted organisation to correct a minor breach in data management procedures.   |
| Personal information         | Information about an identifiable individual, both personal and business-related  |
| Privacy Officer              | A person appointed by the organisation, as required by Section 23 of The Privacy Act  |
| Private Network              | A private network is a network that uses private IP (Internet Protocol) address space. An IP address is a numerical label assigned to each device (e.g., computer, printer) participating in a computer network |

|                         |   |
|-------------------------|---|
| Procedures manual       | An instruction document outlining the organisation's data management procedures   |
| Publicly-available data | <p>Personal information that is contained in a publicly available publication.</p> <p><b>Publicly available publication</b> means a magazine, book, newspaper, directory, website, digital communication or other publication that is generally available to members of the public. It includes public registers unless access is specifically restricted by law.</p> |
| Securely stored         | Data stored in such a manner that only authorised people can obtain access.   |
| Third party             | An entity that makes data available for use by the applicant for marketing purposes, and does not include a customer of the applicant.  |
| UEM Act                 | The Unsolicited Electronic Messages Act 2007 - NZ Anti-spam legislation   |
| Written contract        | Formal agreement between data provider and data user/renter   |