

# Hayley Miller

## Partner



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## Overview

Hayley is a commercial lawyer with a particular focus on technology and innovation. She has developed a multi-disciplinary practice which is often at the intersection of technology, privacy and consumer law.

She has extensive experience working collaboratively with developers, suppliers and purchasers of technology hardware, software, infrastructure, products and services, including licensing, development, commercialisation, supply and acquisition and various "as a service" offerings.

Hayley has acted for a number of well-known companies procuring new software platforms to underlie their business operations and the related outsourcing of services (including large financial institutions, manufacturing entities, SOEs and others). She is experienced in balancing agile software development contracts to reflect the reality of the agile model, while still giving the customer enough certainty to satisfy the business case.

Hayley also assists clients with the commercialisation of their technology, including IT, medical, Fintech and other innovative technology products across a broad range of industries and sectors.

Hayley is an expert on New Zealand privacy law, regularly advising on regulatory compliance, cybersecurity, data sovereignty and other considerations to the use of cloud based technology. She assists clients utilising big data within their organisations or as the base for new ventures utilising big data analytics. Ask Hayley about GDPR compliance for non-EU organisations.

## Experience

- **Confidential client:** Advised a large NZ bank in relation to the procurement of a new main frame and related services.
- **Multiple:** Advised on the privacy implications of drones (for two household names) and use of CCTV cameras and footage (including for a worldwide retail chain). She has also undertaken product compliance for a large range of technology products (including wearable technology, banking products and quasi-medical technology) which often includes advice on radio spectrum licensing rules, electrical product regulations, and other requirements.

- **Crown Fibre Holdings Limited (CFH):** Advised on the drafting and negotiating of Schedule 6 (Services and Pricing) of the UFB Network Infrastructure Project Agreements with the various counterparties (Chorus, Northpower, ESL and Ultra-Fast Fibre) and interrelated sections of the suite of documents prepared.
- **Confidential client:** Advised on NZ privacy legislation and prohibitions on unsolicited electronic messages as it might apply to one of its targeted advertising offers and use and commercialisation of data it has collected about its members. This advice included a review of the standard terms for use with advertisers and members and advice on the model proposed.

## Recognition

- Ranked in *Chambers Asia Pacific* 2020 and 2021
- Leading Lawyer in *The Legal 500 Asia Pacific* 2021
- Recommended Lawyer in *The Legal 500 Asia Pacific* 2019 and 2021

## Insights

- Co-author, “Record GDPR fine for data breach: UK regulator has a bite as big as its bark,” *Kensington Swan Newflash*, July 9, 2019
- Co-author, “Digital business in New Zealand,” *Practical Law New Zealand Practice Note*

## Activities and Affiliations

- Board Member, Dentons Kensington Swan (formerly Kensington Swan)

## Prior and Present Employment

- Dentons Kensington Swan (formerly Kensington Swan), 2012–present
- Bell Gully, 2009–2012
- Ashurst, 2006–2008
- Bell Gully, 1997–2005

## Areas of focus

### Practices

- Intellectual Property and Technology
- Privacy and Cybersecurity
- Corporate

### Industry sectors

- Technology
- Transportation
- Infrastructure and PPP

# Education

- University of Otago, 1998, Bachelor of Commerce, (B.Com), Accounting (Hons)
- University of Otago, 1998, Bachelor of Laws, LLB, Hons

# Admissions and qualifications

- Barrister and Solicitor, High Court of New Zealand, 2000