

CHAPTER 34

NONPUBLIC RECORDS REGISTERED
BONDHOLDER LISTING

Authority

N.J.S.A. 47:1A-2; N.J.S.A. 52:18A-30; Governor's
Executive Order No. 9(1963).

Source and Effective Date

R.1991 d.219, effective May 6, 1991.
See: 23 N.J.R. 291(a), 23 N.J.R. 1421(c).

Executive Order No. 66(1978) Expiration Date

Chapter 34, Nonpublic Records Registered Bondholder Listing expires on May 6, 1996.

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SUBCHAPTER 1. GENERAL PROVISIONS

17:34-1.1 Purpose and scope

(a) The purpose of this chapter is to deem the Registered Bondholder Listing as a nonpublic record. This chapter also establishes that these records henceforth shall not be accessible to the general public and shall be treated as confidential documents.

(b) The individuals affected by this chapter include the general public and/or agencies who deal with the Department regarding registered bonds.

17:34-1.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings:

“Authorized agent” means the contracted vendor acting as paying agent, registrar and transfer agent for the bonds.

“Department” means the New Jersey Department of the Treasury.

“Public records” means all records as defined in N.J.S.A. 47:1A-2.

“Registered Bondholder Listing” means data relating to bondholders of the State’s general obligation bonds including, but not limited to, the following: name and address of the bond owner, tax identification number, social security number, certificate number, face value of bond, interest rate, maturity date, issue date, and account number of the holders of State of New Jersey general obligation bonds.

“Related records” means all reports, correspondence and other documents originating from the Registered Bondholder Listing.

SUBCHAPTER 2. REGISTERED BONDHOLDER
LISTING AS NONPUBLIC RECORDS;
CONFIDENTIALITY17:34-2.1 Registered Bondholder Listing; nonpublic
record

The Registered Bondholder Listing and related records under the jurisdiction of the Department shall not be deemed to be public records pursuant to N.J.S.A. 47:1A-1 et seq. Accordingly, the Registered Bondholder Listing shall not be available for inspection, examination or duplication by members of the public. The Registered Bondholder Listing and related records shall be entitled to confidential treatment.

17:34-2.2 Confidentiality

(a) Unless specifically provided by Federal law, State law, court order, or applicable court rule, no person shall have access to the Registered Bondholder Listing which has been determined to be entitled to confidential treatment other than the designated Department officials and personnel, or authorized agents of the Department.

(b) Any Department officer or employee or officer or employee of an authorized agent who has custody or possession of the Registered Bondholder Listing shall take appropriate measures to properly safeguard the information and to protect against its improper disclosure.

(c) No Department officer or employee or officer or employee of an authorized agent may disclose, or use for his or her private gain or advantage, the Registered Bondholder Listing which came into his or her possession or to which he or she gained access, by virtue of his or her position of employment.

(d) If the Department finds that any person has violated any requirement or provision of this chapter, the Department may:

1. Initiate civil action in Superior court for a restraining order and injunction preventing that person from further disclosure of confidential information; and
2. Pursue any other legal remedy available to it by law.

(e) Additionally, violation of this chapter by any Department officer or employee shall constitute grounds for dismissal, suspension, fine or other personnel action against the appropriate individual.